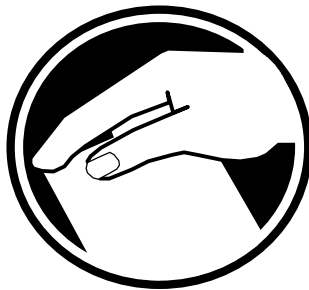


RETURNING OFFICER'S MANUAL

E8 - 1996 Edition



ELECTIONS NZ

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FOREWORD

The purpose of this Returning Officer's Manual is to assist Returning Officers in the discharge of their electoral duties under the Electoral Act. It attempts to explain in clear and relatively simple language the duties and responsibilities of a Returning Officer and the procedures involved in the conduct of an election and/or poll.

The manual covers the administrative and financial aspects of the conduct of an election as they concern the Returning Officer. It is examined and revised after each election to include legislative and procedural changes, particularly regarding the issue and handling of special votes and the compilation and transmission of election night totals. Returning Officers' comments are also taken into account. This could result in some pages being replaced by a revised version. Manuals are retained by the Returning Officer after an election and updated before the next election.

This manual will not provide an answer to every question that may arise in connection with a Returning Officer's functions or duties. It is hoped that Returning Officers will find it helpful in endeavouring to carry out their responsibilities with fairness and impartiality as required under the Electoral Act.

Phil Whelan,
Chief Electoral Officer

1996

- 1.1 Electoral Act and Regulations
 - 1.1.1 The law governing the conduct of general elections, polls and by-elections is contained in the Electoral Act 1993, the Citizens Initiated Referenda Act 1993 and the Electoral Regulations 1996. By the time of the next election there will be changes to the Electoral Act which you will need to be aware of. We will advise you of these to the extent that they are relevant to your work.
 - 1.1.2 The principal regulations are the Electoral Regulations 1996.
 - 1.1.3 Throughout the text of this manual reference will be made to relevant sections of the Act, Regulations, using abbreviations such as s. 18, reg. 20 etc.
- 1.2 Case Law
 - 1.2.1 The most recent cases of importance to Returning Officers are:
 - (a) Hunua Election Petition [1979] 1 NZLR 251 (copy attached as Appendix A).
 - (b) Wybrow v Wright [1980] 1 NZLR 47.
 - (c) Taupo Election Petition [1982] 2 NZLR 244.
 - (d) Wairarapa Election Petition [1988] 2 NZLR 74.
 - 1.2.2 The Hunua petition is useful for its discussion of special votes. Note, however, that the part of the decision dealing with methods of marking the ballot paper has been overruled by the declaratory judgment in Wybrow.
 - 1.2.3 The points to watch in the checking of special vote declarations emphasised in the Hunua petition judgment are discussed more fully in section 5.
 - 1.2.4 The law covering the marking of ballot papers is now fully covered in the case of Wybrow v Wright. The Court of Appeal made the following declaration: "That on the true construction of the Electoral Act 1956 a Returning Officer must not reject a ballot paper as informal under s. 115 (2)(a)(ii) of that Act unless the paper does not

clearly indicate the candidate for whom the voter desired to vote''. Returning Officers should read the Court of Appeal's judgment for a proper understanding of the issue involved.

- 1.2.5 The Taupo petition contains useful discussion on witnesses to special voting declarations, the effect of an error by an issuing officer, and other matters.
- 1.2.6 The Wairarapa petition clarified uncertainties in the law relating to election expenses and early voting. Some of the problems highlighted by that petition have now been dealt with by amendments to the Electoral Act.
- 1.3 Interpretation of Legislation
 - 1.3.1 Interpretation of the Act - Requests may be received asking Returning Officers to interpret sections of the legislation. Returning Officers should not give legal advice. They should point out to the enquirer the provisions of the Acts and if an interpretation is required, the enquirer should be told to consult his or her own legal adviser. It is not the function of a Returning Officer to interpret the legislation.
- 1.4 Writ for Election
 - 1.4.1 For every general election the Governor-General not later than seven days after the dissolution of Parliament directs the Clerk of the Writs to proceed forthwith to issue writs for the election of Members of Parliament for all electoral districts within New Zealand (s. 125).
 - 1.4.2 Procedures for the issue of a writ for a by-election are covered by s. 132.
 - 1.4.3 The writ shall contain the following information (s. 139):
 - (a) The latest day for the nomination of constituency candidates.
 - (b) A day for the polling to take place (if a poll is required) being a Saturday.
 - (c) The latest day for the return of the writ.

- 1.4.4 On signing a writ for an election to be held in any district the Clerk of the Writs may cause a notice to be sent to the Returning Officer for the district advising of the issue of the writ and of the nomination day and the polling day (s. 141). A similar advice is sent to inform the Chief Electoral Officer. If the Returning Officer is unable for any reason to receive the notice, the Returning Officer shall appoint a person to receive the notice on the Returning Officer's behalf (s. 141 (2)).
- 1.4.5 The receipt by the Returning Officer or the person appointed by the Returning Officer of the notice shall be deemed to be the receipt by the Returning Officer of the writ and the date of that receipt shall be endorsed on the writ (s. 141 (3)).
- 1.4.6 The writ itself will be posted to the Returning Officer by courier. When the writ is received it must be endorsed with the same date as that endorsed on the notice. Endorsement:

"Writ Received / /19 "

- 1.4.7 On receipt of the actual writ an advice is to be sent by the quickest form of written communication available as follows:

"Clerk of the Writs, Internal, Wellington
Writ Received
(surname) (electorate)".

The facsimile number to be used will be advised in the letter accompanying the writ.

- 1.4.8 The writ once received must be retained in a safe and secure place until later required.

- 1.4.9 The following is a copy of the draft letter from the Clerk of the Writs to the Returning Officer enclosing the writ.

"DATE

ADDRESS

DEAR NAME

I enclose herewith a Writ for the election of a Member of Parliament for the . .
..... Electoral District.

Immediately upon receipt of this letter, please acknowledge by facsimile to the
Office of the Clerk of the Writs, Department of Internal Affairs, Wellington,
Attention:

"Writ received" (surname) (electorate).

In accordance with Section 141 of the Electoral Act 1993 you will receive a
facsimile informing you that the writ has been issued. The receipt of this
facsimile by you is deemed to be the receipt of the Writ. The date on which
you receive this message should be shown on the reverse side of the Writ, in
the panel which reads:

"This writ was received by me on theday of"

You should sign your usual signature and underneath print clearly your full
name in the space where it has Returning Officer (please endorse here).

Once polling has taken place and the Member of Parliament for the district has
been confirmed, the following details should be entered on the Writ in the
space indicated:

the name of the person duly elected; and the date of endorsement.

Once this has been done and the Writ is ready for despatching to the Office of
the Clerk of the Writs, you should contact the local Courier Post depot, phone:
..... who will arrange to uplift the package. Will you please return the
writ in the courier envelope provided with cardboard insert, for protection of
the writ.

You are reminded that immediately following the endorsement of the Writ, you
are required to advise my office by facsimile : Attention: of:

- (a) the date on which the writ was endorsed;
- (b) the full name of the person declared to be elected;
- (c) your own surname and electoral district.

In terms of Section 185 of the Electoral Act 1993 the date of endorsement of the writ shall be deemed to be the day of the return of the writ.

In the event that it appears that an application for a recount may be made, and the return of the writ postponed, you should advise my office by facsimile message.

Thank you for complying with these formalities.

Yours sincerely

Clerk of the Writs"

1.5 Local Restoration Polls

1.5.1 Local Restoration Poll - the following four areas are presently “no-licence” districts (also known as “dry areas”): Roskill, Grey Lynn, Eden and Tawa. In no-licence districts there are special restrictions on the sale of liquor.

1.5.2 Residents of these areas may vote in the Local Restoration Poll to either maintain the no-licence restrictions or to abolish them.

1.5.3 The boundaries of the 4 No-Licence Districts do not follow the boundaries of any General Electorate. The following Returning Officers will have additional responsibilities for local restoration polls:

<i>No licence District</i>	<i>General & Maori Electorate</i>	<i>Number of Streets affected</i>	<i>RO responsible</i>	<i>Part No Licence</i>
Eden	Auckland Central	23		Auckland Central
Eden	Epsom	105	Epsom	
Eden	Owairaka	74		Owairaka
Eden	Te Tai Tokerau			
Grey Lynn	Auckland Central	201	Auckland Central	
Grey Lynn	Owairaka	23		Owairaka
Grey Lynn	Te Tai Tokerau			
Roskill	Epsom	52		Epsom
Roskill	Maungakiekie	38		Maungakiekie

Roskill	New Lynn	56		New Lynn
Roskill	Owairaka	364	Owairaka	
Roskill	Te Tai Tokerau			
Tawa	Mana	23		Mana
Tawa	Ohariu-Belmont	112	Ohariu-Belmont	
Tawa	Te Tai Tonga			

For a diagram showing these areas refer to Part 4 of the 1996 Index to Places and Streets.

- 1.6 Recounts Constituency Candidates (Sections 179 to 184 of the Electoral Act)
 - 1.6.1 The Returning Officer must apply to a District Court Judge for a recount where there are two or more constituency candidates with the same number of votes after the official count and the addition of one vote would entitle one of the constituency candidates to be elected (s.179 (2) and section 5.8.22).
 - 1.6.2 A constituency candidate may apply for a recount within 3 working days after the public declaration of results (s. 180 (1)). The application shall be accompanied by a deposit of \$1,000 inclusive of GST (s. 180 (3)).
 - 1.6.3 The District Court Judge must commence a recount within 3 working days of receiving an application (s. 180 (5) (a)). The District Court Judge shall give notice in writing of the time and place at which the recount will be made to the Returning Officer and to each of the candidates who may be affected by the recount (s. 180 (5) (b)).
 - 1.6.4 The Returning Officer should advise the Registrar of Electors immediately it is known that an application for a recount has been made.
 - 1.6.5 The Chief Electoral Officer must also be notified by telephone immediately.

- 1.6.6 The Returning Officer must be present at the recount together with clerical staff to assist the Court (s. 180 (7)).
- 1.6.7 Scrutineers appointed for either the scrutiny of the rolls or under s. 183 (1) may attend (s. 180 (7) (d)), not exceeding one scrutineer for each candidate unless the District Court Judge or officer appointed permits more.
- 1.6.8 The District Court Judge has authority to review the decisions of the Registrar of Electors and the Returning Officer (s. 180 (8)).
- 1.6.9 Arrangements should be made for the Registrar of Electors to be available for the recount with the enrolment records for the district being available to the District Court Judge as and when required.
- 1.6.10 ~~The return~~ ^{Example} of the writ should be postponed until the recount is complete (s. 185 (4) and section 5.9.6).
- 1.6.11 No material is to be sent to the Clerk of the House of Representatives if there is any possibility of a recount (section 5.11.6).
- 1.6.12 On the order of the District Court Judge the Returning Officer shall complete an amended public declaration if the results of the recount are different from the official count and previous declaration. Form E31-C should be suitably amended (s. 180 (10)).
- 1.6.13 The Chief Electoral Officer must be notified of the total number of votes for each candidate and the number of informal votes immediately after the recount by facsimile.

RECOUNT	
GREEN	4187
KERR	6895
WHITE	6881
INFORMAL	98
TOTAL	18061

SURNAME OF RETURNING OFFICER"

- 1.6.14 Confirming Memorandum - Immediately after the despatch of the recount result confirm the details supplied by memorandum.
- 1.7 Recounts Party Votes
(sections 179 to 184 of the Electoral Act)
- 1.7.1 Any secretary of a political party listed on the part of the ballot paper that relates to the party vote may apply for a recount within 3 working days after the public declaration of results for a recount of the party votes. (s. 180 (2)).
- 1.7.2 The application shall be accompanied by a deposit of \$1,500 inclusive of GST (s. 180 (4)).
- 1.7.3 The District Court Judge must commence a recount within 3 working days of receiving an application (s. 180 (5) (a)). The District Court Judge shall give notice in writing of the time and place at which the recount will be made to the Returning Officer and to each of the political parties that may be affected by the recount (s. 180 (5) (b)).
- 1.7.4 The Returning Officer should advise the Registrar of Electors immediately it is known that an application for a recount has been made.
- 1.7.5 The Chief Electoral Officer must also be notified by telephone immediately.
- 1.7.6 The Returning Officer must be present at the recount together with clerical staff to assist the Court (s. 180 (7)).
- 1.7.7 Any political party affected by an application for a recount may appoint one or more scrutineers to be present at each recount (s. 183 (1)).
- 1.7.8 The procedures set out in sections 1.7.8 to 1.7.9 and 1.7.11 to 1.7.14. shall apply.
- 1.7.9 Any secretary of a political party listed on the part of the ballot paper that relates to the party vote may instead of making one or more separate applications for recounts under s. 180 (2) of the Electoral Act, apply to the Chief District Court Judge for recounts

of the party votes to be conducted in every electoral district. Every application for a recount must be made within 3 working days after the date of the last public declaration of results under s. 179 (s. 181 (2)).

1.7.10 The application shall be accompanied by a deposit of \$90,000 inclusive of GST (s. 181 (3)).

1.7.11 The Chief District Court Judge shall cause a separate recount of the party votes to be conducted for each electoral district and, for that purpose, shall, within 3 working days, arrange, in respect of each recount, for a District Court Judge to conduct it.

1.7.12 Each recount shall be conducted in accordance with subsections (5) to (10) of s. 180 of the Electoral Act, except that each recount shall be commenced within 3 working days of the date on which the District Court Judge conducting the recount is assigned that task.

1.7.13 At the conclusion of all recounts, the Chief District Court Judge may make such order or orders as to the costs of and incidental to those recounts as the Chief District Court Judge thinks just, and, subject to any such order, shall direct that the deposit made under this section be returned to the person who paid it.

1.8 Combined Recounts

1.8.1 Nothing in s. 180 or s. 181 of the Electoral Act requires the electorate votes or the party votes to be the subject of more than one recount and, where more than one application is received that would involve recounts of the same votes or of both parts of the same ballot papers those applications may be combined by the District Court Judge conducting the recount (s. 182).

1.9 Petitions

1.9.1 Election petitions are fully covered in Part VIII of the Electoral Act 1993 from s. 229 to s. 262 and Returning Officers should make themselves conversant with these provisions.

1.9.2 If the petition complains of the conduct of a Returning Officer the Returning Officer shall be named as a respondent and will require to be served with a copy of the petition (s. 230 (2)).

- 1.9.3 Whether or not the Returning Officer is named as a respondent, the Registrar of the Court in which the petition is filed, is required to send a copy of the petition to the Returning Officer (s. 230 (4)).
- 1.9.4 On receipt of a copy of the petition the Returning Officer must immediately notify the Chief Electoral Officer. This should be done by telephone and confirmed in writing forwarding a copy of the petition.
- 1.9.5 The Chief Electoral Officer will then contact the Crown Law Office who will make the necessary arrangements for the Returning Officer to be represented by counsel at the petition.
- 1.9.6 Rules covering all aspects of election petitions are set out in the Election Petition Rules 1957 (S.R. 1957/265).

- 2.1 Appointment of Returning Officers
 - 2.1.1 Early in the year in which a general election or poll is to be held the Chief Electoral Office will approach suitable former Returning Officers as to their availability to accept appointment for the general election/poll. No Returning Officer should hold any official position in any political organisation (s. 25).
 - 2.1.2 The Chief Electoral Office will then take action to fill Returning Officer vacancies not filled from enquiries under section 2.1.1.
 - 2.1.3 The Chief Electoral Officer having completed the list will seek approval from the Returning Officers' departments (where applicable) and then prepare and issue a warrant of appointment for each Returning Officer using form E26A. This appointment is made pursuant to s. 20 (1). Additional to their statutory authority, Returning Officers shall be under the direction of the Chief Electoral Officer (s.20 (2)). This warrant E26A is usually accompanied by the first of a series of instructional circulars for Returning Officers together with appointment supplies which are listed on form E193.
 - 2.1.4 Included with the appointment is the financial delegation form for signature and return to the Chief Electoral Office.
 - 2.1.5 Every Returning Officer is required, upon taking up appointment, to make a declaration on form E26B and return it to the Chief Electoral Officer. This declaration is attached to the warrant of appointment.
 - 2.1.6 The declaration must be made before a Justice of the Peace or a solicitor.
 - 2.1.7 Every Returning Officer must complete a tax code declaration (IR.12). If the IRD number is not included, PAYE deductions will be made at the No Declaration rate (refer to tax pack from IRD).
 - 2.1.8 The tax code declaration (IR.12), declaration E26B, financial delegation form E26C and one copy of form E192 should be forwarded to the Chief Electoral Office without delay (see sections 2.4.1 and 6.1.2)
 - 2.1.9 Every Returning Officer after appointment is required to make arrangements for a post office box for the receipt of special votes.

There is no objection to existing boxes or private bags being used if suitable arrangements can be made.

2.1.10 Responsibilities of Returning Officers - Returning Officers have a statutory responsibility for the organisation of all election procedures and the conduct of the parliamentary and any other poll within their electorates in strict accordance with the requirements of the Electoral Act and its Regulations (see Specimen Election Planner section 2.14.7). This statutory responsibility remains in force until the appointment is revoked by the Chief Electoral Officer. These responsibilities include:

- the recruitment, training, supervision and control of all temporary staff employed for polling day and other duties
- the provision of all facilities provided for the voting public
- the planning and control of all activities relating to the counting of votes and declaration of election results.

Returning Officers will be required to attend a training seminar arranged by the Chief Electoral Office. In addition the Chief Electoral Officer will issue a series of time structured circulars to assist Returning Officers with each aspect of their duties and will also arrange legal and other specialist services on request.

2.1.11 An induction conference for new Returning Officers will be held shortly after appointment.

2.1.12 **Returning Officers Files** For the benefit of new Returning Officers, it is suggested you set up a file series for administration purposes along the following lines:

- 1 Policy, i.e., circulars, memos
- 2 General correspondence
- 3 Appointment of staff
- 4 Polling places within electorate and shared facilities
- 5 Overseas, sick and hospital votes
- 6 Services, equipment and supplies
- 7 Candidates and advertising
- 8 Results and statistics
- 9 Bank account

2.1.13 **Duties of Returning Officers For a General Election** Certain responsibilities for Maori electorates are assigned to Returning Officers of General electorates. This division of duties is set out in the action chart in section 2.14.8. The chart must be studied carefully and applied by all Returning Officers. It is vital to the smooth working of arrangements between General and Maori Returning Officers. For a Maori the Maori Returning Officer is responsible for all duties i.e. the selection, hire and payment for polling places and staff and the supply and distribution of all equipment and forms.

2.1.14 **Delegation of functions of Returning Officers** The Returning Officer has certain responsibilities which may be delegated in writing to any other person who has been appointed as an official for the purposes of the Electoral Act. (See s. 20 A (1)).

These functions, powers, rights and duties are:

Scrutiny of the rolls (See ss. 175, 176)

Parcels to be secured after scrutiny (See s. 177)

Counting the votes including allowance and disallowance of special votes (See s. 178) or under any regulations made in relation to the allowance or disallowance of special votes.

2.1.15 These appointments shall only be made to persons whose previous experience of electoral administration at electoral headquarters level is such that they can accept some measure of responsibility without supervision.


2.2 Polling Places

2.2.1 If Returning Officers are not familiar with their districts it is important that they should, as early as possible after appointment, make themselves thoroughly conversant with the location of the electorate boundary and all polling places. Returning Officers should reaffirm the facilities available in each polling place. Maps and descriptions of district boundaries will be provided. If more detailed maps are required than those provided these can be obtained from Department of Survey and Land Information District Offices.

2.2.2 The first step in a Returning Officer's preparation for an election/poll is the selection and appointment of polling places.

Polling places are required to be gazetted and arrangements for the appointment of polling places under s. 155 should be finalised as soon as practicable once the polling day date is known. Following this, the Chief Electoral Office co-ordinates the gazetting of polling places.

- 2.2.3 The Statistics Return (E9) for the previous election is a useful guide to likely voting patterns within an electorate. Copies will be provided by the Chief Electoral Office.

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- 2.2.4 Details of the polling places used in the previous election will be found in the Returning Officer's Journal (E32) and the Schedule of Polling Arrangements (E28) for that election. This should be used as the basis for compiling the updated list of polling places.
- 2.2.5 At an election following a change of electorate boundaries the Chief Electoral Office will supply records for areas where boundaries have changed together with a reshuffled polling place list from the previous election/poll. This will assist the Returning Officer to re-establish polling places and determine booth numbers within the new boundaries of the electorate.
- 2.2.6 New polling places may be required in places where residential areas have been developed or where polling at a previous polling place was heavy and additional facilities cannot be accommodated in that building. It could also happen that a previously used polling place is no longer available. The Electoral Act has been amended to provide for licensed premises not in use as such on polling day to be used as polling places where appropriate.
- 2.2.7 Consideration must also be given to abandonment of those polling places that may in the past have received limited use. However, all pros and cons must be weighed up carefully before taking a decision as people become accustomed over the years to using the same polling places.
- The month of an election should also influence the selection of polling places as the facilities should be adequate for the time of the year. General Returning Officers should contact local Marae Committees and discuss the facilities for Maori voters and the positioning of polling places generally in relation to Maori communities and Hui so that adequate voting papers are available on polling day.
-  **Note however, that small communities must be catered for irrespective of the number of votes cast. Note also, the need to ensure the secrecy of the poll. A very small vote count from a polling place can lead to speculation as to how people voted.**
- 2.2.8 Before taking any final decision regarding the selection of new polling places or abandonment of certain polling places, full

consultation must take place with local political and other organisations interested in elections.

Electors in areas where polling places are closed are to be made aware of the availability of postal and early voting facilities. Some facility could be provided before polling day to accommodate small rural areas.

It is suggested that urban Returning Officers establish and staff accordingly specific polling places for the use of political party agents on polling day i.e. near the parties electorate headquarters. Party organisations are to be sent a list of proposed polling places, and invited to comment before the final list of polling places is finalised.

- 2.2.9 Section 156 (1) of the Electoral Act provides that any public school (primary, intermediate, or secondary) may be appointed a polling place, and that such school is to be placed at the disposal of the Returning Officer from 4.00 pm. on the day before polling day, and for the whole of polling day. The expression "polling place" is the area appointed as such by the Governor-General (s. 155 (1)). If the Governor-General for instance appoints Hutt Central School as a polling place the area encompassed by the school is the polling place not just the particular building utilised unless designated. Only the reasonable cost of repairs to and cleaning of the areas of a public school used as a polling place shall be reimbursed by the Returning Officer. Returning Officers must be prepared to negotiate with the hirer if the hire fee being requested is considered high. The current cleaning fee (May 1995) is \$8.73 per hour.
- 2.2.10 Section 2.2.9 refers only to public schools. The use of any private school requires the consent of that school's board and the payment of a rental rather than a cleaning fee.
- 2.2.11 Once a tentative list of polling places has been completed and advice from the Chief Electoral Office received, the formal approach for use of the premises should be prepared and despatched using forms E20-A-1 for schools and E20-A-2 for other premises. Form E20-B-3 should accompany both these forms
- 2.2.12 Goods and services tax is only payable to persons/groups/organisations who are registered for the purposes of GST tax with the Department of Inland Revenue. It is therefore quite possible for

an individual to claim GST when hiring out their garage providing they are registered. If they cannot produce their GST number, then GST is not payable. Returning Officers utilising halls, schools, etc, will find the majority of accounts have a GST component. Reference should be made to section 7 of this manual when processing such claims.

- 2.2.13 As the E20-B-1 from schools and E20-B-2 from other premises confirmations are returned, details should be recorded on to the Schedule of Polling Arrangements (E28) in pencil initially. Each E28 provides for six booths. E20 forms should be filed for future reference. It is desirable for Returning Officers to compile the details in the (E28) in the same order as section 2.2.20. E20-B-3 forms and/or deposit slips should be retained separately so that direct credit schedules can be completed for the hire of polling places.
- 2.2.14 When the date of the election is known, verbal confirmation should be obtained immediately followed by written advice confirming that the premises will be used (specimen form E20-C-1 for schools and E20-C-2 for other premises).
- 2.2.15 **Disabled Facilities** At least twelve polling places in each electorate must have access that is suitable for persons who are physically disabled (s. 155 (4)). Returning Officers should select as many polling places with access for the disabled as possible. The Chief Electoral Office will provide on request the names of local representatives of organisations for the disabled who have undertaken to assist with the location of suitable premises on request. These local representatives should be contacted at an early stage. It should not be assumed that a place identified as having access for the disabled in the Gazette or polling place listing for the previous election still has the necessary facilities.

Extract of Polling Place List supplied by the Chief Electoral Office

Wellington-Central

D	Brooklyn	Baptist Church Hall, 187 Ohiro Road School Hall, Washington Avenue
	Chartwell	School, Chartwell Drive
D 65	City	Aro Valley Community Centre, 48 Aro Street
		Centre City Church, 39 Webb Street
		Mount Cook School, 160 Tory Street School for Dental Therapists, Willis Street

D St. Andrew's Church Lounge, The Terrace
Wellington High School Main Office Foyer, 249
Taranaki Street

The Polling Place List supplied by the Chief Electoral Office will show disabled facilities available at the last election/poll. From the E20-C-1 and E20-C-2 replies received from schools etc clearly mark in red pen if facilities are still available if not cross out the "D".

- 2.2.16 **Ordinary Maori Voting Facilities** Returning Officers in General electorates are required to provide facilities within their electorate for ordinary Maori voting. Although every polling place will have facilities for Tangata Whenua and special voting which are available to persons on Maori rolls, it will be necessary where there are larger numbers of Maori to provide an ordinary Maori booth within a General polling place. Information on the residential location of Maori populations will be provided by the Chief Electoral Office.

Any change or abandonment of polling places from the previous election/poll must be made in consultation with the Maori Returning Officer who will finally decide the allocation of Maori polling booths in consultation with the Area Co-ordinator and the General Returning Officer.

- 2.2.17 The Returning Officer for the particular Maori electorate is to notify each General Returning Officer of the polling places within their electorate where ordinary Maori voting (other than special voting) facilities are to be available with a view to maximising the number of ordinary Maori votes.

- 2.2.18 In all General electorate lists the names of polling places which also offer ordinary voting facilities for Maoris are to be identified by the number representing the Maori electoral district, ie.

61	Te Puku O Te Whenua
62	Te Tai Hauauru
63	Te Tai Rawhiti
64	Te Tai Tokerau
65	Te Tai Tonga

If a General electorate includes two or more Maori electorates the relevant identifying numbers will be required to be shown next to the polling place listing. At this stage a copy of the amended list should be forwarded/faxed to the Maori Returning Officer for his/her confirmation.

When agreement on the Polling Place listing has been reached by all Returning Officers concerned the list should then be forwarded to the Chief Electoral Office.

The list will be used for typesetting the gazette copy and the voters guide booklet.



It is important that all users of a facility are aware of whether the polling place has facilities for disabled access and/or ordinary Maori voting facilities for consistency of description.

2.2.19 Shared Polling Places Shared Polling Places (shared by two or more General electorates), as defined by s. 155 (2), should be carefully considered by all Returning Officers. Special voting information re neighbouring electorates and Tangata Whenua votes cast from the previous election will be provided by the Chief Electoral Office. Shared facilities can be very useful where boundaries meet in a metropolitan area on major arterial roads or near a gathering of some kind, such as at or near shopping malls, A and P show or sporting event. Returning Officers should consult with sporting bodies and local community information and conference centres, to establish if a shared Polling Place is required. In such places, several Returning Officers can provide a booth or booths and this will allow electors to vote as ordinary voters, saving time for all concerned and with a view to maximising the number of ordinary votes.

Such a polling place must be shown in the list of polling places furnished by each of the General Returning Officers concerned. The description of polling place premises must be identical for each of the electorates utilising the shared Polling Place. You must ensure that the description for these polling places is the same as the other electorate(s) sharing them and that ordinary Maori voting facilities and access for the disabled facilities are identified.

Supply the electorate number and polling place address if facility is being shared with a neighbouring electorate. The Returning Officer

for the electorate where the polling place is situated defines the correct description of the polling place.

Meshblocking New Polling Places If a new polling place facility is being established you must obtain the seven digit meshblock number from your Registrar of Electors. Place this meshblock number next to the polling place description.

2.2.20 **Polling Place Listings** The Chief Electoral Office will supply a list of the polling places used for the last election/poll.

This list forms the basis for preparation of the final list of polling places. Any additions, amendments or deletions must be made with a red ballpoint pen. This copy should be sent to the Chief Electoral Office for inclusion onto the main database. Returning Officers should retain a copy for their records.

Accuracy and legibility is essential.

The maximum number of characters including punctuation and spaces should not exceed 50 characters.


The name of the city/town/suburb is to be shown first and will be printed in bold text, the building name of the polling place followed by the number then the street or road etc address. A town with a single polling place will appear in a continuous line.

In the situation of a number of polling places in the same city/town/suburb the polling places will be listed in alphabetical order beneath one city/town/suburb entry.

When deciding whether a city/town/suburb area warrants a separate heading Returning Officers should decide whether the city/town/suburb name can stand alone as a well defined area i.e. in city electorates the reason may be by way of distinct topographical separation from other suburbs within the city and in rural electorates by physical separation between townships, landmarks etc.



When describing the polling place the rule is to supply sufficient detail to allow any visiting elector to be able to readily locate the facility. This will determine whether a physical address needs to be provided particularly in rural electorates.

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- 2.2.21 One copy of the amended list is to be couriered to the Chief Electoral Office by the date requested. The information will be forwarded to Internal Affairs to prepare the list for publication in the New Zealand Gazette. Hence the need for the standard format outlined above and the deadlines set by the Chief Electoral Office.
-  **All later amendments to the list must be advised immediately by fax to the Chief Electoral Office. This enables action to be taken to amend the gazette copy or issue a supplementary gazette. When faxing, any amendments for that particular return need to be identified with an asterisk on the right hand side of the form.**
- 2.2.22 A copy of the amended list should be retained as a working copy. (If faxing only one copy should be made. If posting, two copies should be made - one to be retained by the Returning Officer as his/her working copy.). All later amendments made should be noted on the working copy.
- 2.2.23 Requirements for advertising polling places are contained in s. 147(2) and (5) of the Act.
- 2.2.24 Advertising for a General Election is organised centrally by the Chief Electoral Office. For the next General Election a Voters Guide will be sent to every household in election week. This will be done in three editions, Upper North Island, Lower North Island and South Island. All polling places for these electorates will be in the relevant publication. Any amendments after printing commences will have to be advertised by public notice or press article at local level.
- 2.2.25 The booklets produced by the Chief Electoral Office are basically election day guides. They show where polling places are located, a map of electorates, lists of party names and constituency candidates and their party affiliations, and the name, address and telephone number of Returning Officers.
- 2.2.26 The advertising organised by the Chief Electoral Office should provide sufficient publicity about polling day facilities. If Returning Officers feel that more publicity is needed, they should try to arrange it by getting local papers to run articles about polling day; these will not cost the Returning Officer anything, and so will provide free publicity.

2.3 Polling Booths

2.3.1 Once the list of polling places has been established, it is necessary to decide how many polling booths will be required in each polling place. Examples of how to determine polling booth numbers is provided in Sections 2.3.3 to 2.3.7 and 2.14.9.

2.3.2 Ordinary polling booths should be staffed by one Deputy Returning Officer and one poll clerk. Following an amendment to s. 158 of the Electoral Act, it is now possible to have booths staffed by a Deputy Returning Officer acting alone. (In the past all booths had to have at least one Deputy Returning Officer plus a poll clerk). Deputy Returning Officers receive thorough training, so it is considered that in some places a Deputy Returning Officer should be able to manage a booth for special votes by him or herself. By reducing the number of staff on some booths, it should be possible to increase the number of booths, if necessary, or to cut down on the number of staff employed at polling places.

2.3.3 The Parliamentary Paper (E9) and the reshuffled polling place lists are the best guide for determining the number of booths as this shows the number of ordinary votes cast at each polling place at the last election.

The Returning Officer's journal for the previous election should also be consulted. These figures should be adjusted where necessary to allow for new subdivisions etc.

2.3.4 Each ordinary booth should be able to handle between 450 and 500 votes, while a booth handling special votes should be able to cope with 100 to 120 votes without too much trouble.

<u>Booths</u>	<u>Anticipated No. of Voters</u>		
1	0	-	500
2	501	-	1000
3	1001	-	1500
4	1501	-	2000
5	2001	-	2500

- 2.3.5 The reshuffled polling place lists show the number of special votes issued at any particular polling place at the last election.
- 2.3.6 As a guide, a polling place which issued 1333 ordinary votes plus 235 special votes would require three ordinary booths and two special booths.
- 2.3.7 Fees for polling day staff is the most significant component of Returning Officers' expenditure and overall the highest cost of conducting any election or poll. Each election provides Returning Officers with an opportunity to seriously look again at their resourcing of polling booths.

Flexible organisation within a polling place is important and should be carefully considered, eg, booths assisting each other at peak periods, utilising combined, special and ordinary booths and establishing combined booths with other electorates in metropolitan electorates.

Examples of establishing staffing levels

The two following examples from the previous election should assist Returning Officers.

2.3.7

Urban Electorate combined polling place*Example 1*

Wellington Central, Wakefield Street, Town Hall Auditorium where Wellington Central and Rongotai electorate ordinary facilities would be available and the vote count reflects the combined figures from the old electorates.

	Vote Count
Ordinary Votes	= 1079
Special Votes	= 387
Maori Ordinary Votes	= 85

In 1996 this polling place could be staffed by:

- 1 Ordinary booth - Wellington Central
- 1 Ordinary booth - Rongotai
- 2 Booths doing special votes
- 1 Combined booth doing ordinary
Te Tai Tonga votes and special votes

Plus an unattached supervising DRO capable of issuing special votes as well as an usher/interpreter.

A total of 12 staff or 10 if DRO's only appointed for special booths

Rural Electorate

Example 2

Taranaki-King Country, Hangatiki Public School where at the 1993 General Election there was one ordinary Waipa booth and one combined King Country facility available and the vote count reflects the combined figures from old electorates.

		Vote Count
Ordinary Votes	=	127
Special Votes	=	13

In 1993 there were 4 staff.

In 1996 this polling place should be staffed by:

- 1 Combined booth doing ordinary and special votes

A total of 2 staff.

There are a number of examples like this in the new rural electorates.

2.3.8 Having established the total number of booths required, the information can be entered on the Schedule of Polling Arrangements (E28) identifying each type of booth. When the number of booths has been finalised the return of polling places and polling booths must be forwarded immediately to the Chief Electoral Office, (see section 6.1.8 or 6.1.9)) From the E28 it can be ascertained the number of booths which will issue special votes. General Returning Officers must place an order with their Registrar of Electors for the supply of Maori reference rolls required (see section 2.4.8).

2.3.9 Returning Officers should check that seating is provided in all polling places for older voters using polling facilities. They must also ensure that tables and tabletop screens are provided.

2.4 Office Arrangements

2.4.1 **Electorate Details Required by Chief Electoral Office (E192)** Returning Officers must advise the Chief Electoral Office, within 24 hours, the information is available, of all the details required on Form E192.

It is vital that the information is forwarded progressively as any changes to details occur so that the distribution of circulars and bulk supplies are not delayed because current information is not available. Some of this information is also required by the 0800 voter information service.

The Chief Electoral Office will provide Form E192 for the entry of these details including the address for the delivery of bulk supplies, (see section 6.1.2).

2.4.2 **Postal Address** The postal address of the Returning Officer is included in the Index to Places and Streets. This publication has to be finalised well in advance of an election because it is a very large printing order. The postal address in the Index to Places and Streets is recorded on voting envelopes E85 when overseas special votes are issued and for voting envelopes for special voting papers E82 in New Zealand. Returning Officers must open a postal box at the most convenient NZ Post outlet soon after their appointment once funds are available in the electorate bank account (see section 2.1.9). When a postal box is finalised the Chief Electoral Office

must be advised on Form E192 and when the box is due to be closed following the election further instructions will be given by the Chief Electoral Office.

- 2.4.3 **Headquarters and Issuing Office** From the date nominations close it is necessary for each Returning Officer to have suitable accommodation to maintain a minimum of one Issuing Office within the boundaries of the electorate for the issue of special votes prior to polling day. The core hours of the main Issuing Office must be at least 10.00 am-4.00pm. Returning Officers are permitted to have Issuing Offices outside their electorate boundaries as required (reg. 19(2)(b)). In a widespread rural electorate, the Returning Officer must appoint more than one Issuing Office for the convenience of political organisations and special voters. These Issuing Offices do not need to be open on a full time basis as long as the hours are well publicised.

On a date to be notified Returning Officers must advertise the location and hours of all their Issuing Offices in newspapers circulating in the district. Bromides will be supplied for this to be done.

Every Issuing Office should be allocated a specific booth stamp. Where applicable, ensure that your office records section is advised of your appointment and warned to expect mail and parcels addressed to the Returning Officer.

From the date of the public notice of nomination day until at least two weeks after polling day it is necessary for each Returning Officer to maintain a headquarters. Where feasible the headquarters are to be located within the electorate. Approval from the Chief Electoral Office is required where headquarters are to be located outside the electorate. Combined headquarters with shared costs should be considered in metropolitan electorates. The premises should be adequate for the storage and compilation of the bulk supplies and the receipt of booth material after polling day. The election night facilities should include at least five or six separate telephone lines, (see section 7.1.22).

Renting a vacant house within the electorate which has sufficient room for all activities is another alternative.



Fax machines must be left switched on overnight and weekends for night transmission of data by the Chief Electoral Office.

The Chief Electoral Office must be advised, on Form E192, of the location and telephone numbers and fax number of the electorate Issuing Office(s) and the election night headquarters within 24 hours of the information being known. The Registrar of Electors and each constituency candidate should also be advised.

- 2.4.4 **Headquarters Staff** Returning Officers are authorised to employ a typist/clerk for up to 12 weeks prior to polling day for the purpose of assisting in preparation for the election. Such a person should initially be employed on a part-time basis and be used only as required, (see section 7.3).

From the receipt of bulk supplies the Returning Officer may employ such staff as may be necessary for the purpose of assembling material for delivery to polling booths and from the date of issuing early votes any staff required.

Such staff will be paid by the Returning Officer by way of direct credit. A completed E165-E form for each pay period must be attached to the copy of the direct credit schedule. A tax declaration form (IR12) is required to be completed by each employee.

All headquarters staff must complete a declaration on Form E20-H. Form E20-F should be amended to authorise issuing officers to issue ballot and/or voting papers (if applicable).

It is the responsibility of the Returning Officer for all headquarters staff to receive adequate training.

- 2.4.5 **Telephones** It may be necessary to make arrangements with Telecom for the installation of a telephone in the Issuing Office(s) for the period that it is manned and for additional phones in the headquarters for election night for taking results. The Chief Electoral Office is negotiating, a contract package with Telecom for the supply of telephones and cellphones. Returning Officers will be responsible for the payment of their own Telecom accounts.

At least one telephone needs to be available in the headquarters until the electorate statistics have been cleared. From previous experience Returning Officers in electorates where there is a close

election night result receive numerous media enquiries which disrupt post election day activities. Returning Officers in these electorates should retain a cellphone and advise the Chief Electoral Office of that number so that contact can be made should the main phone be left off the hook.

- 2.4.6 **Printed Rolls for Booths Issuing Ordinary Votes** As soon as possible after the number of booths and Issuing Offices has been decided each Returning Officer must notify the Registrar of Electors of their roll requirements. About fifteen rolls more than the number of ordinary booths should be ordered to allow for hospitals and institution voting, and for additional ordinary booths that may need to be established on polling day because of high patronage by voters at a polling place. All these rolls should be certified by the Registrar of Electors.

Before packing the supplies for a Deputy Returning Officer each certified roll to be used for the issue of ordinary votes must be marked with the booth number by headquarters staff.

- 2.4.7 **Master Roll** In addition to the certified rolls the Registrar of Electors, prior to polling day, will provide the Returning Officer with a master roll to be used for the scrutiny of the rolls.

- 2.4.8 **Uncertified Printed Rolls (Reference Rolls)** Every General Returning Officer will arrange for the supply of one copy of the printed Maori roll to the Deputy Returning Officer issuing special votes at each General polling place.

Where a polling place is situated near the boundary of two electorates consideration should be given to supplying uncertified reference rolls for the relevant districts.

Before packing the supplies for a Deputy Returning Officer each uncertified reference roll must have the E38 reference roll label affixed by headquarters staff.

All Returning Officers will be provided with 1 copy of the electoral district habitation index.

- 2.4.9 **Supplies - Forms and Stationery** The Chief Electoral Office arranges three major consignments.

Appointment supplies on Form E193 are forwarded following the Returning Officers appointment. It comprises administrative forms, stationery supplies, the Returning Officers Manual and finance documents. These forms will enable the hire of polling places and polling day staff to be started.

Some forms will now be prepared as masters and provided in an E19 folder within plastic sleeves for photocopying purposes.

An Initial Supply on Form E143 is forwarded later and enables training workbooks and associated materials to be despatched to prospective polling day staff. It also includes E1, Overseas at an Election, E6, Handbook for Scrutineers and E78, Special Voting in New Zealand - Information and Application Form.

The third consignment Form E145 provides the balance of forms and stationery required for an election and is forwarded within the two weeks prior to the commencement of early voting.

2.4.10 **Supplies for Booths Issuing Maori Ordinary Votes** The Maori Returning Officer provides a Maori booth stamp together with ballot and/or voting papers and associated forms necessary for the issue of Maori ordinary votes using Form E48.

General Returning Officers provide all polling place and stationery supplies for a General Election.

At a Maori the Maori Returning Officer would provide all supplies, using Form E46.

General Returning Officers must be advised of the number of Maori ordinary ballot and/or voting papers which will be issued to each booth. (This is necessary so that sufficient black adhesive stickers (E94) and other supplies are provided.)

The Maori Returning Officers must also advise General Returning Officers of the Maori booth stamp number which will be allocated to each Maori booth.

General Returning Officers must identify Maori booths in their journals.

Polling place and stationery supplies for Maori Deputy Returning Officers are distributed through General Returning Officers. Maori

Returning Officers must contact General Returning Officers and determine when supplies to General Deputy Returning Officers are being despatched. Maori Returning Officers must ensure that their supplies listed on Form E48 are received by General Returning Officers so that the distribution can be included with those listed on Form E46.

Form E46 lists the polling place and booth supplies provided by General Returning Officers. Form E48 lists the booth supplies provided by the Maori Returning Officer at a General Election.

2.4.11 Booth Supplies - Packing and Distribution Booth supplies in urban electorates should be distributed at the conclusion of the training session.

In rural electorates where supplies may be required to be posted to Deputy Returning Officers it may be preferable for the booth supplies to be packed in a metal ballot box. Once packed and locked the keys should be placed in a plastic bag (E130). This plastic bag also containing the booth stamp should be posted by registered mail if courier facilities are not available to the Deputy Returning Officer. Accounts for postage should be paid by the Returning Officer.

The use of private enterprise should also be considered where supplies are not uplifted by Deputy Returning Officers.

Alternatively rural Returning Officers may consider hiring a van so that booth supplies can be distributed at the conclusion of the training sessions.

The electorate name should be marked on all forms by headquarters staff together with the polling place and booth number if applicable. This will ensure that material provided to combined booths is returned to the correct Returning Officer.

The number of ballot and/or voting papers supplied to each booth must be recorded, by headquarters staff, on the Ballot Paper Certificate Accounting and Results Sheets E101 prior to packing. Individual E46's or E48's should be prepared well in advance and the packing of supplies should be organised in the same order as Forms E46 or E48. A different coloured self inking booth stamp should be distributed to each booth within a polling place if

possible. This will assist booth staff after the close of the poll to identify papers not issued by them.

Electorate supplies (including special voting) where practicable should be packed into the cardboard ballot box E90 or the larger E76 being trialed at this election. The booth stamp must be put into the plastic bag (E130) and Deputy Returning Officers should sign for these when they pick up their supplies using the receipt attached to Form E46 and E48. Provision has been made on these forms for additional material which may be supplied by a Returning Officer.

Returning Officers should consider ordering supplies of a label similar to the E163 for the despatch of booth supplies but with the inclusion of the Returning Officer's address. A printer should be able to manufacture self adhesive labels.

2.4.12 **Procedure for the Compilation of Polling Day Supplies**

1. Having assigned the Deputy Returning Officers to the various booths, the next step is to calculate the individual booth and polling place supplies and to record the details on Form E46 or E48 and to allocate the supplies.
2. Using the Schedule of Polling Arrangements (E28) determine which booths
 - (a) will only issue ordinary votes;
 - (b) will only issue special votes;
 - (c) will issue both ordinary and special votes.In addition General Returning Officers must determine -
 - (d) booths issuing Maori ordinary votes.
3. Number each container (ballot box) with the booth number for which the Deputy Returning Officer's supplies are intended.
4. Place the containers on the floor in consecutive number order. This will make it easier to match each booth with each container and to distribute the supplies into the containers. An alternative is to lay the cardboard ballot boxes on their sides on sorting tables. They can be stacked three high with gaps between each stack to read the polling booth number on the side of the ballot box.
5. The supplies should be organised in the same order as Forms E46 or E48.
6. Record the supplies intended for each booth on Form E46 or E48 and mark the Schedule of Polling Arrangements (E28) with the number of ballot and/or voting papers (ordinary and special) allocated to each booth.

7. The consecutive numbers of all ballot and/or voting papers must be recorded on Form E46 or E48 and the number distributed on the E32-K after the election.
8. Place the supplies for each booth in the relevant ballot box using Form E46 or E48.
9. Once all the supplies have been allocated, the E46 or E48 carbon copy is for the Returning Officer's records.
10. Check the contents of each ballot box against the relevant E46 or E48 to ensure that no supplies have been left out before placing the original E46 or E48 in the relevant ballot box.
11. Place the ballot box lid firmly on the ballot box. Secure the container if being posted.
12. Attach a completed E34 to the relevant container.

Returning Officers should decide well before polling day whether they want such items as biros and ballot markers returned with supplies to the Returning Officers' headquarters for redistribution to schools. If the items are not required to be returned Returning Officers should advise Deputy Returning Officers in their written instructions. Rulers and scissors and the booth stamp are to be returned using the plastic bag E130 provided.

2.4.13 After the close of the poll the ballot box E76 or E90 special vote carton E139 or E139A can be used for the return of all supplies.

2.4.14 Returning Officers should take any action necessary to ensure that material from polling booths is received no later than Tuesday after polling day. See sections 4.5.1 and 4.5.5.

2.5 Staffing Assistance

2.5.1 Returning Officers when employing staff shall operate a personnel policy that complies with the principle of being a good employer. The desired environment will be achieved by implementing the following policies:

General Principles -

1. The Chief Executive of a Ministry shall operate a personnel policy that complies with the principle of being a good employer.
2. For the purposes of this section, a "good employer" is an employer who operates a personnel policy containing provisions generally accepted as necessary for the fair and proper treatment of employees in all aspects of their employment, including provisions requiring -

- (a) Good and safe working conditions; and
 - (b) An equal employment opportunities programme; and
 - (c) The impartial selection of suitably qualified persons or appointment; and
 - (d) Recognition of -
 - (i) The aims and aspirations of the Maori people; and
 - (ii) The employment requirements of the Maori people; and
 - (iii) The need for greater involvement of the Maori people in the Public Service; and
 - (e) Opportunities for the enhancement of the abilities of individual employees; and
 - (f) Recognition of the aims and aspirations, and the cultural differences, of ethnic or minority groups; and
 - (g) Recognition of the employment requirements of women; and
 - (h) Recognition of the employment requirements of persons with disabilities.
3. In addition to the above requirements, the Chief Executive shall ensure that all employees maintain proper standards of integrity, conduct, and concern for the public interest.
4. In fulfilling this requirement Returning Officers are asked to complete Form E20-K which is a notice to the Ministry of close relatives employed.

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- 2.5.2 The need for additional clerical and general assistance will steadily increase, rising to a peak after polling day. Returning Officers will require assistance on a full or part-time basis prior to the poll to staff the office established for the electorate, to assist preparations, for managing the electorate bank account, for issuing special votes and for typing services. Likewise all Returning Officers will require at least one person for general assistance with polling booth equipment, etc.
- 2.5.3 Assistance will also be required from the Sunday following the poll for unpacking material from the booths, checking declarations, attendance at the scrutiny and official count, and the disposing of all material at the completion of the election. The amount of assistance varies from electorate to electorate. With the exception of electorate headquarters staff employed on a full time basis by the Returning Officer, overtime is not to be paid to any person for carrying out the work mentioned above.
- 2.5.4 It is recommended that Returning Officers recruit and employ an experienced person with clerical and supervisory skills to assist with election preparations and the supervision of other temporary staff who are recruited as and when required. The use of one manager in this role will relieve Returning Officers of full time attendance and provide a deputy in their absence, to handle enquiries and assist workflow. This could be one of the managers set out in section 2.5.6 and should be paid at that hourly rate. Section 2.14.10 - 2.14.13 sets out the person specifications.
- 2.5.5 **Staffing** - The rates for all staff to be employed is available on form E165G. Most Returning Officers will require three temporary workers at their Headquarters to undertake clerical work immediately prior to polling day. A larger number will be required after polling day. With the first MMP election it is difficult to know exactly how long staff will be required before and after polling day, but as a guide, 12 weeks before and 3 weeks after polling day should be sufficient.

To some extent the time before will be dictated by the lead time and announcement date of the election by the Prime Minister.

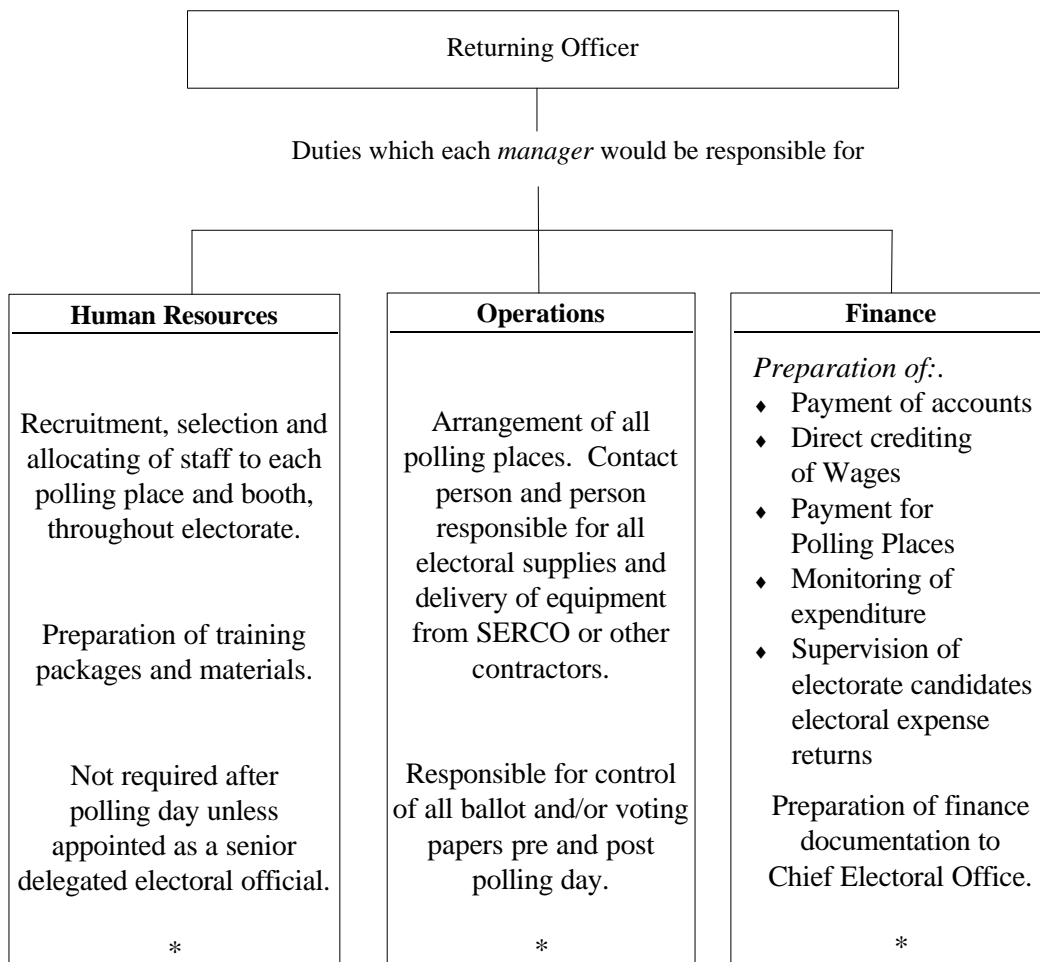
Staff are not to be employed for periods in excess of 13 weeks before and 4 weeks after polling without the prior approval of the Chief Electoral Officer.

The reference on the E165G to Senior Delegated Electoral Official is for persons who are exercising certain functions of the Returning Officer as set out in section 2.1.14 and 2.1.15 and should only be paid at that rate when performing those functions.

Please note that staff under 15 years of age are not to be employed either before, after, or on polling day. This is consistent with Government policy on the employment of staff.

2.5.6

Suggested organisation structure at Returning Officers headquarters With the increase in the size of electorates under MMP (both geographically and demographically) and greater staffing responsibilities on each Returning Officer a second tier management level is considered necessary. A suggested structure is as follows -



* These persons could also at various stages be appointed as Senior Delegated Electoral Officials as required and prescribed in legislation. See section 2.1.14 and 2.1.15.

2.5.7 The Human Resources position should be filled from either the election announcement date, or 6 weeks before polling day. It is expected that the position would be surplus to requirements after polling day, however there is an opportunity for this person to be appointed as the senior delegated electoral official and assist with the scrutiny and official count procedures.

2.5.8 The Operations and Finance Manager positions will be required at the same time as the Human Resources Manager, but will need to be retained until after the Official Count and the Declaration of the result. In particular, the Finance Manager will need to be retained on an as required basis until after all financial records are completed and sent to the Chief Electoral Office.

It is suggested that one person be in charge of the special vote declaration process and the supervision of the staff employed in that area. If this person is exercising the functions of the Returning Officer then they are to be paid at the senior delegated electoral official rate otherwise they are to be paid at the manager rate.

Part Time Staff - Some Returning Officers may experience difficulty with typing facilities during their preliminary arrangements. The services of a competent typist may be obtained for a few hours each week. The rate of payment for typists will be advised on form E165G.

2.5.9 Returning Officers may use temporary staffing agencies if necessary to provide the other temporary staffing requirements. Agency staff are useful when coping with fluctuating staffing needs. Returning Officers should be aware of the additional cost of hiring agency staff.

2.5.10 **Payment of Staffing Agency Workers** - Any staff provided to Returning Officers under this system will be paid direct by the agency. Workers complete a time sheet supplied by the agency in duplicate. These time sheets are completed weekly. Returning Officers certify the time claimed, forward one copy to the agency and retain the other for their own records. On receipt of the

certified time sheet the agency arranges payment to the worker direct. The agency forwards weekly accounts for all staff employed through its office to Returning Officers. These accounts are paid by Returning Officers out of the electorate bank account. The agency accounts for all tax deductions direct to the Inland Revenue Department and is responsible for all tax deduction certificates for such employees.

2.5.11 Most agencies also have available a pay roll service under which they prepare all wage schedules etc. which may be of assistance to Returning Officers at a cost. You should discuss these matters with your local agency. Most Returning Officers should be able to recruit a suitable person to manage the bank account and pay wages and taxes (both PAYE and withholding tax) themselves.

2.5.12 Returning Officers will account for payment through this system in their journals in the sections "Clerical Assistance Before the Poll" and "Clerical Assistance After the Poll" as temporary staff via the agency showing period, hours, and total only.

2.6 Fees etc.

2.6.1 Fees for all electoral staff are fixed prior to an election and details will be circulated to all Returning Officers by the Chief Electoral Officer on Form E165G.

2.6.2 Fees will be fixed under the following headings:

1. Returning Officers

2. Deputies, etc

Supervising Deputy Returning Officer

Deputy Returning Officer in Charge

Deputy Returning Officer

Poll Clerk

Interpreter - *when not being employed as an official as above*

Usher

3. Special Voting

Issuing Officers

4. Justices of the Peace

Normal Rate

Rate after 8 hours work

5. Miscellaneous Staff

Persons collating returns
Telephone Operators
Persons setting up booths
Cleaners

6. Office Staff

Senior Delegated Electoral Official
Manager (H/R, Operations, Finance)
Administration Clerk
Clerk
Typist (merit grade)
Typist

7. Expenses for Attending Training Sessions

*Returning Officers - Attendance Fee (taxable)

Returning Officers - Travel to attend training sessions
(Electorate Classifications D, E and F - excluding Returning
Officers of Maori Electorates).

Returning Officers Assistants assisting training (taxable)

Deputy Returning Officers - Attendance Fee (taxable)

*This is an attendance fee only. Returning Officers record the time
involved in training in the Returning Officers Journal and the Returning
Officers fee includes a training preparation and conduct component.

2.6.3 Headquarters staff listed (See Section 2.6.2 item 6) should be paid
at the appropriate rate according to duties and experience

2.6.4 Where staff are employed under a staffing agency system they will
not be paid direct by the Returning Officer, (see section 2.5.10).

2.7 Polling Booth Staff

2.7.1 Polling booth staff comprise:

- (a) Supervising Deputy Returning Officers or Deputy Returning
Officers in Charge. (optional)
- (b) Deputy Returning Officers;
- (c) Poll Clerks; (optional in booths doing special votes only)
- (d) Interpreters; (optional)
- (e) Ushers; (optional)

Persons under 15 years of age must not be employed.

- 2.7.2 A Deputy Returning Officer is to be appointed to take charge of each polling booth. Where possible only experienced staff should be given responsibility for the control of a polling place.
- 2.7.3 A poll clerk is to be appointed to each polling place where there is only one ordinary polling booth, and combined booths issuing both ordinary and special votes. Polling places with multiple booths may have a Deputy Returning Officer only issuing ordinary votes.
- 2.7.4 All offers of appointment for polling booth staff should be made on the form provided, E20-D-1. In urban electorates it may be appropriate to make an initial offer by telephone. When form E20-E is returned it should be retained as a staff card index. A self addressed envelope supplied should be forwarded with the E20-D-1 and E20-D-2 for the return of the E20-E and E20-D-2.
- 2.7.5 In localities where there are high ethnic populations it is important that at least one polling official in each polling place is able to converse in N.Z. Maori, Polynesian or Asian languages. When this is not possible, interpreters must be considered.
- 2.7.6 For booths providing Maori ordinary voting facilities, persons able to converse in the Maori language are required. Te Puni Kokiri (The Ministry of Maori Development) have been approached by the Chief Electoral Office to provide assistance. Should Returning Officers still have problems in finding Maori speaking staff they should contact community organisations in their district and request assistance. Iwi Authorities can likewise be approached. The Chief Electoral Office will provide contact assistance with other language staffing requirements where needed.
- 2.7.7 In combined polling places, or in polling places where there are more than four polling booths, consideration should be given to the appointment of an usher. An usher should direct voters to particular booths so that congestion at any booth is eliminated and the flow of voters is maintained in a steady and orderly manner.
- 2.7.8 Supervising Deputy Returning Officers are to be appointed only in polling places where there are three or more polling booths. They can be either unattached or attached to a booth. In smaller polling places containing more than one booth, a Deputy Returning Officer

in-Charge will have to be designated. Supervising and in-charge Deputy Returning Officers, besides carrying out any assigned duties as Deputy Returning Officers, should arrange the polling booths to the best advantage within the polling place. They also maintain control in the polling place, assist others as required, ensure equal distribution of work and co-ordinate the results at the conclusion of the day. They are responsible for the collation and accuracy of the voting counts from the polling place.

In shared Polling Places the in-charge Deputy Returning Officer appointed for the electorate in whose electorate the polling place is situated is in overall charge.

- 2.7.9 All staff for booths are selected by General Returning Officers including Maori booth staff after liaison with the Maori Returning Officer.
- 2.7.10 Immediately staff for Maori booths have been finalised the Maori Returning Officer must be notified of the full names and addresses of the Maori booth staff so that the Maori Returning Officer can prepare appointment forms.
- 2.7.11 No person who is actively engaged in furthering the interests of any candidate, political party or issue is eligible for appointment to the polling day staff.
- 2.7.12 It is usual to offer appointments to suitable and competent Deputy Returning Officers and other staff employed at the previous election and the initial offers should be made using the Returning Officers Journal as a guide. It is essential that each Returning Officer ensures that the staff employed are capable of doing the job, and Returning Officers should avoid re-employing those previously noted as unsuitable. A person specification for each polling day position is detailed in sections 2.14.14 to 2.14.18. If in doubt at all arrange for interviews. See also section 2.5 of this manual. It should also be stressed that all Deputy Returning Officers including those for Maori booths will be required to attend a training session prior to polling day.

To assist Returning Officers recruit suitable replacement staff when they do not know applicants, a master form Electoral Staff Assessment E20-I has been supplied together with answers E20-J. It is suggested that the assessment be completed in the presence of your clerical assistant or by getting a group of potential appointees

together to complete the exercise at one time. It is a matter of judgement for each Returning Officer to decide whether a person applying needs to complete an assessment.

Talking to them or referring to documentation available may be sufficient. The objective is to raise the standard of polling day staff performance and therefore make the Returning Officer's task easier after polling day.

- 2.7.13 Returning Officers should also maintain a reserve list of persons suitable for appointment who can be contacted at short notice to fill any vacancies that may arise before or even on polling day or to establish additional booths on polling day. Returning Officers who have a small number of staff on standby on polling day may pay a retainer of \$40 gross if these staff are not utilised. Some temporary employment agencies may be able to provide this service at no cost apart from attendance at a training session cost.
- 2.7.14 Community Organisations - From time to time groups within the community offer the assistance of their members as polling booth staff as a fund raising venture. Should such offers be received by Returning Officers, they should be made use of wherever possible. See Section 2.7.15 "Election Day Earnings" for a ruling on employee status.
- 2.7.15 The following advice on taxation aspects of such arrangements has been received from the Department of Inland Revenue:

Election Day Earnings

"A number of enquiries have been received in respect of the taxation of election day earnings which are paid to a group or organisation. In view of the enquiries that have been received this whole matter has been considered fully. Your department will recall that when this matter was briefly discussed, it was ascertained that each member of the group will be required to complete an oath of secrecy. As a result of this any breach of secrecy that may arise will be taken up with the individual and not the group or organisation to which he or she belongs.

On the basis of this information it is considered that it is the individual and not the group or organisation which is being employed to undertake the duties on election day and accordingly the income derived should be liable for tax in the normal manner.

This will mean that irrespective of whether the payment is made to each individual or to the group or organisation as a whole, separate PAYE deduction certificates (IR 12) will need to be completed in each employee's name and tax deducted at the appropriate rate of 20.7 cents in the dollar. This will enable your department to answer any enquiries or comments which you may receive."

- 2.7.16 Once your polling day staff have been finalised details should be completed on the Schedule of Polling Arrangements (E28).
- 2.7.17 Forms E20-F and E20-G Appointments should be completed ready for posting in the envelope provided with supplies to the appointees, together with the E3 Handbook - A guide for polling day staff, the E17A Workbook, and E132 Extract of Index to Places and Streets and an envelope for the return of the IR12 and/or the form E20-H. Poll Clerks are to be sent only the Handbook - A guide for polling day staff. The appointment of polling day staff of Maori booths is made by the Maori Returning Officer but the General Returning Officer is responsible for forwarding the E3, E17A, E132, IR12, and advice as to the training session details to Deputy Returning Officers. To comply with legislation (Form 1 Second Schedule to Electoral Act) a declaration E20-H must be completed by each polling day official for each electoral district an appointment is made for the issue of ordinary votes.
- 2.7.18 **Workbook E17A** - The instruction booklets and exercises must be received by staff at least three weeks before the training session date for the material to be examined and exercises completed. They are then returned to the Returning Officer for checking by the Returning Officer's staff prior to the Deputy Returning Officers' training sessions. The workbook should be received and checked at least seven (7) days before the training session date (see section 2.12). The date of the training session should be included on the E20-F. Deputy Returning Officers should be informed that a check will be made to see if the exercises have been completed prior to the training session commencing.
- 2.7.19 Payment of polling day staff is made from the Returning Officer's bank account. It is necessary for each person appointed to complete an IR 12. Payments are made by direct credit for the net amount payable. The net amount is ascertained by taking the fee fixed and advised on form E165G, deducting 20.7 cents in the dollar (on

whole dollars only) and then adding any travelling expenses payable, (see section 7.1.11).

Entitlement to travelling expenses to attend training sessions and on polling day should be confined to exceptional circumstances. Polling day staff should reside within the electorate and as close as possible to the polling place to which they are allocated.

- 2.7.20 If headquarters staff do not include their IRD number on the IR 12 PAYE deductions must be made at the No Declaration rate (33.7 cents in the dollar).
- 2.7.21 Payment of Maori booth staff - The General Returning Officer is responsible for payments to Maori booth staff.
- 2.7.22 All polling day staff will have their fees direct credited to a nominated bank account no later than the Tuesday following polling day. The IR12 employee copy can either be handed out on polling day when booths are visited or when Deputy Returning Officers return personally their supplies, or be posted out after polling day.
- 2.8 Equipment
 - 2.8.1 **Numbering Machines** Included in the equipment held by Returning Officers should be at least nine numbering machines. On appointment check that they are in good working order. If repairs cannot be arranged locally, a new machine should be borrowed or purchased using the bank account. Check first with the Chief Electoral Office who may purchase machines in bulk.
 - 2.8.2 **Booth Stamps** On appointment Returning Officers should check the supply of booth stamps provided and advise the Chief Electoral Office if any further ones are required, allowing plenty of time for their manufacture. Returning Officers will need one numbered booth stamp for every booth plus a few spares to provide for Issuing Offices, hospital voting and the establishment of additional booths if required on polling day. For example, 40 polling places containing 60 polling booths would require about 75 booth stamps.
 - 2.8.3 Returning Officers for the Maori electorates have been provided extra booth stamps to provide for more ordinary Maori voting facilities.

2.8.4

Adding Machines If you do not have adding machines normally available to you it will be essential to arrange for the use of as many machines as persons taking calls from polling places for election night. If calculators are used in place of adding machines they must be of the print-out variety.

2.8.5

Rubber Stamps There are a number of rubber stamps used by Returning Officers. Please check your present supply and advise the Chief Electoral Officer if any are required. The following are the rubber stamps customarily used. One of each is sufficient.

(1)	TO BE OPENED BY THE ADDRESSEE ONLY	
(2)	PAID CHEQUE NUMBER	
(3)	RECEIVED AFTER CLOSE OF POLL Returning Officer	
(4)	DISALLOWED RECEIVED LATE Returning Officer	
(5)	DISALLOWED IDENTITY NOT ESTABLISHED Returning Officer	
(6)	DISALLOWED DECLARATION NOT IN ORDER Returning Officer	
(7)	DISALLOWED TANGATA WHENUA FORM NOT IN ORDER (Maori R/Os only)	
(8)	DISALLOWED NOT QUALIFIED Returning Officer	
(9)	QUALIFIED Returning Officer	<p>* Please include the name of your electorate for these two stamps. Returning Officers should consider purchasing a stamp with their details i.e. J. R. Jones, Returning Officer, Akatarawa Electorate, PO Box 45, Pauatahanui</p>
(10)	RETURNING OFFICER	
(11)	RETURNING OFFICER * ELECTORATE	
(12)	* ELECTORATE	

2.8.6

Ballot Boxes, Cardboard Screens, Cardboard Pigeon Holes and Padlocks If held at electorate level Returning Officers should check the electorate stock of ballot boxes, padlocks (if applicable) cardboard pigeon holes and cardboard screens which require tables.

These screens should be particularly useful in widespread electorates where they can be easily distributed.

The Chief Electoral Office arranges the supply to rural electorates (from central locations) as requested by Returning Officers.

In Auckland, Wellington and Christchurch stocks are held centrally and distribution is arranged through the district office of Serco Services. In some electorates, equipment is stored in courthouses or private storage.

The journal for the previous election should state where equipment is stored.

If any difficulty is experienced in locating stocks try to contact the previous Returning Officer for information as to its whereabouts.

- 2.8.7 **Free Standing Metal Polling Booth Signs** Returning Officers are to ensure that these signs are used as extensively as possible so that no criticism can be levelled for failure to clearly signpost polling places. For example, if a polling place is established in a school, Returning Officers should arrange for a sign to be placed on the footpath, and in some cases on a street corner, some signs through the grounds, and some in the corridors to make sure that electors can find the booth without difficulty. A combination of the free standing signs and the adhesive sign (E62) should be used where considered necessary. E71 (plastic signs) are also available which can be tied to fences, posts, etc.
- 2.8.8 At all polling places signs will be provided E70 for identifying the electorate for ordinary booth voting facilities. These should be attached to the front side of the E76 or E 90 ballot box.
- 2.8.9 The adhesive symbol of the disabled (E72) should be used to identify polling places which have access for the disabled.
- 2.8.10 **Map of Electorate** Besides having a set of electoral maps setting out the boundaries, each Returning Officer should have a large scale map of the electorate. This large scale map may be available from the nearest Department of Survey and Land Information office. When ordering specify that a map showing boundaries of the electorate is required. This should be paid for out of the electorate bank account.

- 2.8.11 **Screens per Booth** It is suggested that screens be arranged for polling places as follows:

2 Booths = 5 screens

3 Booths = 7 to 8 screens

4 Booths = 9 to 10 screens

Each polling place should have at least one table top screen available for elderly voters.

- 2.8.12 **Delivery of Equipment to Booths** Except where ballot boxes are posted direct to Deputy Returning Officers and where cardboard ballot boxes are uplifted from your office by Deputy Returning Officers it will be necessary for all other equipment to be delivered to the polling places before polling day. This includes polling booth screens and free standing metal polling booth signs. Arrangements for this will have to be made by the Returning Officers with the district office of Serco Services or other carriers. A quote is to be obtained and the most economic mode of transport used.

Any equipment so delivered will have to be collected after polling day and returned to its storage place.

Returning Officers should consider using community groups to transport booth supplies, (e.g. scout groups or private contractors) in electorates where supplies are not uplifted by Deputy Returning Officers or Serco facilities are not available or suitable.

- 2.8.13 It is advisable to appoint a person to accompany deliveries with a schedule of equipment to be left and later uplifted from each polling place. A special rate of payment will be fixed for this work, (see section 2.6.2).


- 2.9 **Printing and Delivery of Ballot and/or Voting Papers and Associated Forms**

- 2.9.1 **Declarations by Special Voter on Polling Day and before Polling Day** The bulk supply will be forwarded from GP Print bulk storage as part of the third consignment. See section 2.4.9. These are consecutively numbered forms (E81) in books of twenty. Declarations by Special Voter before Polling Day (E83) - Supplies will also be forwarded at the same time.

- 2.9.2 **Declarations by Overseas Special Voter** These declarations (E84) (green in colour) will be received with the third consignment. These are also consecutively numbered.

- 2.9.3 **Ordinary Votes** Each Returning Officer will receive masters of these papers (E50 or E51) with the initial supplies for use at the training sessions. The Chief Electoral Office has made

arrangements with Printing Industries New Zealand for the printing and despatch of ordinary ballot and/or voting papers. Because of the format and coloured printing required for the MMP ballot paper there are now a limited number of printers who are capable of printing the papers. Each electorate will receive similar quantities of ordinary ballot papers in most cases in books of 100 only because they will be printed in blocks of four electorates at a time and the necessity to get these ballot papers to Returning Officers as soon as practicable after nomination day.


 **Ordinary and special ballot and/or voting papers will be numbered in reverse order i.e. the highest number in a book will be at the top and lowest number at the bottom. This will assist with the balancing of papers at the end of the day.**

2.9.4 To assist sorting in booths where the same ballot box may be used for both General and Maori papers, ordinary ballot papers for General electorates are to be printed on white paper, and for Maori electorates distinguished in some other way.

2.9.5 **Selected Printer** Returning Officers will be advised by the Chief Electoral Office of the printer selected for printing the ballot and/or voting papers for their district and will be supplied with a copy of the circular to printers issued by Printing Industries of New Zealand

2.9.6 Arrangements will be made with a typesetter in Wellington to set up the final proofs of each electorate ballot paper immediately after nominations close on nomination day.

A copy of the final proof will be faxed to each Returning Officer as soon as practicable after noon on nomination day for certifying as correct and return.

 **Depending on the number of late nominations lodged with Returning Officers the faxed proof may not be available until after the close of business on nomination day. Returning Officers will have to remain at their headquarters until they have received and certified the proof and returned same by facsimile.**

Returning Officers will need to check the following:

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- a) **Spelling of their electorate name.**
 - b) **That the order of electorate vote candidates, is in strict alphabetical order**
 - c) **The surname and given names in order of their surnames to appear on the ballot paper are spelt correctly, and that upper and lower case format is correct. See example in section 2.14.19.**
 - d) **The party affiliation (if any) of the electorate candidate matches the registered party description directly opposite on the party vote side of the ballot paper**
 - e) **Any registered party for which there is no electorate candidate standing under that party name are to be shown at the end of the registered parties in alphabetical order on the party vote side of the ballot paper.**
 - f) **That no voting circle provision has been made on the ballot paper where there is not a lining up of party and electorate vote candidate on the same line.**

Party and electorate logo checks will be undertaken by the Chief Electoral Office

Any amendments required should be legibly marked on the proof before it is returned by facsimile.



In the unlikely event of two constituency candidates having the same surname and full given or christian names, the Returning Officer is authorised to insert such other matter as may be necessary to distinguish them. Returning Officers should consult ss. 150 and 151 before advising the Chief Electoral Office. Where any question arises concerning the order or manner in which the names of constituency candidates or the names of political parties are to be shown, the Returning Officer is to decide the question. (Section 150 (16)).

2.9.7

When the ballot and/or voting papers have been received the Returning Officer should certify Form E30-E and forward it to the printer, a copy must be sent to the Chief Electoral Office as soon as practicable, who then pays the Printing Industries New Zealand for this printing for all electorates. Selected printers should forward their accounts direct to the Printing Industries New Zealand who

pay the selected printers. The printing of ballot and/or voting papers must not be paid out of the electorate bank account.

2.9.8 A copy of the E30-E should be retained in the electorate records.

2.9.9 **Nominated Constituency Candidates for all Electoral Districts and Party Lists (E2)** Three copies of this booklet will be provided for every booth issuing special votes. The booklet will consist of one full ballot paper for each General Electorate with provision for transposing the number printed on the declaration to the ballot paper when issuing votes for any particular electorate. At the bottom of each pad there will be provision for 10 blank ballot papers including voting circles to write up the party and candidate for any particular electorate where the printed ballot papers run out and no photocopying facilities are available.



One complete pad should be marked "MASTER". Under no circumstances should any of the 65 electoral district ballot papers be removed from the master pad other than any of the blank papers at the bottom of the master pad otherwise details of a particular electorate may not be available if the electorate ballot papers from the other pads have been used.

2.9.10 Party Vote and Electorate Vote Ballot Papers for all Maori Electoral District (E2A) Every special booth will be allocated one pad of this form. The pad consists of 10 ballot papers for the particular Maori electorate(s) for whichever general electorate is aligned to that Maori electorate.

2.9.11 Party Vote and Electorate Vote Ballot Papers (E2B) Every Returning Officer will be allocated sufficient supplies of pads of this form based on the number of polling places and historical special vote patterns from 1993 after prior consultation. These pads are for use within your own electorate including pads for your electorate, relevant Maori electorate(s) and surrounding general electorates. Each pad will consist of 50 ballot papers. You will be required to tear out whatever quantities you want from these pads for your own distribution purposes. It will be A4 for photocopying if required.

2.10 Nomination of Constituency Candidates

2.10.1 Immediately upon receipt of the notice advising the issue of the writ, prepare the advertisement "Notice of Nomination Day and Polling Day" (E30-A) to be inserted in newspaper(s) circulating in the electorate. This notice may be prepared in advance and deposited with the newspaper(s) to be held until an instruction to insert it is given. The composition of the electorate will dictate whether more than one newspaper is required to be used.

2.10.2 Nomination of Constituency Candidates The nomination paper provided for the nomination of constituency candidates at the election of a Member of Parliament is Form E30-C which will be in the master folder (E19) Forms for Use by Returning Officers Before Polling Day. All nominations must be submitted on this form.

If a nomination is received which contains the information requested by Form 9 of the Second Schedule to the Act, it should be accepted.

- 2.10.3 Sections 143 to 146 of the Electoral Act 1993 deal with the nomination of constituency candidates and must be carefully studied and applied.
- 2.10.4 Any person may be a candidate who is (section 47):
- (a) registered as an elector and not disqualified from registration; and
 - (b) a New Zealand citizen or a person registered as an elector on 22 August 1975 (being the date on which the requirement that electors and candidates be British subjects was repealed).

It is the responsibility of the constituency candidate to ensure that they meet the criteria for eligibility. Returning Officers when accepting nominations should check that the candidate is conversant with the provisions that apply. Disqualification as an elector occurs where the elector has been absent from New Zealand for certain periods (see s. 80); or is detained in a hospital pursuant to the Mental Health (Compulsory Assessment and Treatment) Act 1992; or is in a penal institution pursuant to a conviction for 3 years or more; or is listed on the Corrupt Practices List.

- 2.10.5 Supplies of the booklet "Information for Parliamentary Candidates" (E5) will be forwarded to Returning Officers for distribution to constituency candidates. The Chief Electoral Office will provide copies to registered parties for the party list candidates requirements.
- 2.10.6 Every constituency candidate must be nominated by not less than two registered electors of the district (s. 143 (1)). No elector may nominate more than one constituency candidate. Check that persons signing nomination forms are registered on the electoral roll for the electoral district. Ask your Registrar of Electors for assistance if necessary.
- 2.10.7 Before nomination, prospective constituency candidates should check with Returning Officers that the name by which they propose to be nominated is short enough to fit on the ballot paper. If it is not, the Returning Officer may abbreviate the name or names to be shown in such manner as will enable them to fit on the ballot paper (see s. 150 (19)).
- 2.10.8 Consent to the nomination of any person shall be given by that person in writing or by facsimile, but need not be given at the time when the nomination paper is lodged. When a nominee is out of the country the consent of that person may be signified in some other way approved by the Chief Electoral Officer (s.143(3)).
- 2.10.9 "Member of Parliament" is acceptable as an occupation for a candidate.
- 2.10.10 Every nomination paper and every consent and every logo submitted must be lodged with or given to the Returning Officer for the district not later than noon on nomination day (s. 143 (4)). Where a nomination paper is lodged in respect of a candidate for a political

party which is not registered with the Electoral Commission but which has a logo registered (s. 67 (A)) a copy of the registered logo may be submitted to the Returning Officer for inclusion on the electorate vote side of the ballot paper.

- 2.10.11 The Returning Officer is required to give a written receipt for every nomination accepted by him or her (s. 143 (4)). If the consent required as in section 2.10.10 does not accompany the nomination paper no receipt should be given until the consent is received which must be by noon on nomination day. A photocopy of the nomination paper endorsed accepted, signed and dated should be given to the person lodging the nomination once it has been accepted.
- 2.10.12 **Deposit by Candidate** Every candidate, or some person on his or her behalf, must deposit with the Returning Officer the sum specified in s. 144 (1) (at present \$300 inclusive GST) not later than noon on nomination day.
- 2.10.13 The deposit must be paid in the form of money, a bank draft, or a bank cheque (s. 144 (2)). A personal cheque is not acceptable.
- 2.10.14 **Trust Account** All deposits from constituency candidates (s.144 (1)) are to be deposited at the nearest branch of Westpac or other designated bank using the deposit book and deposit slips provided therein.

Once nominations have closed and all deposits have been banked the deposit book together with form E30-O should be forwarded to the Chief Electoral Office as soon as practicable. On form E30-O it should be quite clear if any refund has to be paid to a political party.

- 2.10.15 On the nomination form there is also provision for the Returning Officer to note the "party designation" of the constituency candidate and the name and address of the person or organisation to whom the deposit is to be refunded. The Returning Officer may require a constituency candidate to produce evidence of a claimed affiliation. If the Returning Officer considers that the name of the political party is "indecent or offensive or excessively long or likely to cause confusion or to mislead electors", the Returning Officer must consult the constituency candidate on an alternative name. If consultation is not reasonably practicable, or if they cannot agree on an alternative,

the Returning Officer shall not show any name on the ballot paper as that of the candidate's political party. [S. 151]

- 2.10.16 Nominations must not be accepted after noon on nomination day.
- 2.10.17 **Nominations Tendered Before Issue of Writ** Until Parliament is dissolved prior to a General election and the writs are issued, there is no vacancy in any electorate. Therefore, no nominations should be accepted before the issue of the writ. In respect of any nomination paper already received the Returning Officer should arrange for the person who lodged it to submit a fresh nomination paper.
- 2.10.18 Requests will be received from time to time from prospective constituency candidates asking for nomination forms. A completed nomination cannot be lodged with a Returning Officer until after the receipt of the writ. On nomination day nominations close at noon for lodgment purposes. It is therefore undesirable that nominations be sent through the mail. It is the responsibility of constituency candidates or their organisers to present the nomination accompanied by the deposit to the Returning Officer before the close of nominations.
- 2.10.19 **Preliminary Advice** Ensure that the requirements of s. 145 (1) of the Act have been met as each nomination is received. Immediately a nomination is received advise the Chief Electoral Office by faxing a readable copy of the nomination form E30-C of the constituency candidate together with a copy of any registered logo which has been submitted under s. 143 (3A). If the nomination paper is not clear as to the gender of the constituency candidate please advise the Chief Electoral Office of this for statistical purposes.

The information contained in these advices is used to create the Party Vote and Electorate Vote Ballot Papers for all Electoral Districts. If the surname of a candidate is in any way unusual e.g. Mac donald, Mac Donald, Mc Donald, Mac lean, Wyn Harris, Stammers-Smith, Van de Ven, De Cleene, Srhoy, the Returning Officer should fax or ring the Chief Electoral Office and clarify the surname format to ensure that the E2 ballot paper is correct. On nomination day at 10.30 am all Returning Officers are to send a list by fax of the nominations received as at that time to allow final checking to commence at the Chief Electoral Office. See section 2.14.19 for a specimen of the advice notice.

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- 2.10.20 **Final Advice** Immediately after noon on nomination day an "urgent" advice must be despatched by fax to the Chief Electoral Office confirming all the constituency candidates nominated. Supply the names of the constituency candidates exactly as they are to appear on the ballot paper, with party designation or the word Independent (as appropriate) together with a copy of any registered logo which has been submitted under section 143 (3A). List the constituency candidates' names in alphabetical order of surname. Show the total number of constituency candidates, the name of the electorate and the name of the Returning Officer. See section 2.14.20 for a specimen advice notice. (Regulation 16).
- 2.10.21 If no further nominations are received after the preliminary advice at 10.30 am send a fax to that effect. See Section 2.14.21` for a specimen advice notice. The immediate despatch of the final advice is essential to enable the draft E2 to be finalised and the prompt notification to overseas offices (where voting will commence immediately upon receipt of the constituency candidates and party names). It is vital that all final advices are received at the Chief Electoral Office by 1.00 pm on nomination day.
- 2.10.22 When all advices are received by the Chief Electoral Officer, a draft of the E2 is completed and instructions given to GP Print for printing. The E2 is usually printed during the night and delivered to the Chief Electoral Office the day after nomination day. It is then despatched by courier to all Returning Officers and faxed and couriered to all Overseas Returning Officers. Without the E2, special voting for your own and other electorates cannot commence.
- 2.10.23 **Information to Candidates** Immediately after nominations close Returning Officers should write to each constituency candidate enclosing a Return of Election Expenses (E30-N) and a Notice of Commencement of the Scrutiny (E31-B). Form E30-G is provided for this purpose. Returning Officers are obligated to obtain a completed E30-N from all constituency candidates after the election (see s.210). If a return is not received within the specified period a prosecution should be instituted.

Constituency Candidates are to be supplied, on request, with the names of any interpreters appointed by the Returning Officer:

Returning Officers should consider calling a meeting for constituency candidates and party representatives to discuss hospital

votes, votes in district before polling day, special votes, candidates' responsibilities, etc. Constituency candidates should be informed of the availability of training for persons approved to witness special vote declarations, see section 3.6.14 and about the arrangements for hospital voting, see section 3.5. The Act is quite clear on who is allowed in a polling booth. As there may be a need to allow other people into a polling place, Returning Officers and DRO's have been given the discretion to permit other people to remain in a polling place. It is expected that this discretion will be exercised in favour of persons involved in the running of the election (s.164(g)). Returning Officers should ask constituency candidates and party list candidates (where applicable) to ensure that they and their supporters conform to the Act on polling day.

- 2.10.24 **Advertising Nominations** (Section 147) After the close of nominations provide for the Notice of Nominations Received (E30-D) to be advertised in at least one newspaper circulating in the district in such manner as the Returning Officer considers most likely to give full publicity thereto.



This advertisement is not required if the information has been published in the district in some manner by the Chief Electoral Officer (s. 147 (5)) which will be the normal practice.

- 2.10.25 **Notice of Withdrawal of Nomination** Section 146 provides that any constituency candidate may withdraw their nomination by notice in form 10 of the second schedule to the Electoral Act 1993, signed by them and witnessed by a Justice of the Peace or a solicitor, and lodged with the Returning Officer not later than noon on nomination day.

- 2.10.26 If a withdrawal is received notify the Chief Electoral Officer immediately and confirm by fax enclosing a copy of the notice of withdrawal.

- 2.10.27 **Procedure Where Election Not Contested** Section 148 provides that where only one constituency candidate is nominated, or if any constituency candidate who has been nominated duly withdraws their nomination and there remains only one constituency candidate, the Returning Officer shall by public notice on or before polling day, declare that constituency candidate to be elected.

2.10.28 The public notice "Notice of Nominations Received" (E30-D) should be suitably amended to include the statement: "I therefore declare the said to be elected".

2.10.29 A further amendment to form E30-D will be necessary in the last paragraph of the advertisement to the effect that any other poll will be taken at the several polling places etc.



Note last sentence in 2.10.24

2.10.30 **Death of Constituency Candidates Before Close of Nominations**
Section 152 provides that where a constituency candidate who has been nominated and has not withdrawn his or her nomination dies before the close of nominations, the nomination shall be treated in all respects as if it had not been made.

2.10.31 Where a constituency candidate dies on nomination day, or on the day before nomination day, the time for the close of constituency nominations in that district shall be postponed by four days, (see s. 152 (2)).

2.10.32 **Death of Candidate After Close of Nominations**
The procedures to be followed in the event of this happening are fully set out in s. 153 and must be followed.

2.10.33 In the event of the death of a constituency candidate the Chief Electoral Officer must be advised immediately by telephone. Details must also be confirmed in writing to the Chief Electoral Officer.

2.11 Security of Ballot Papers

2.11.1 The attention of all Returning Officers is drawn to s. 196 of the Electoral Act 1993 regarding the safe custody of ballot papers. Strict adherence to these provisions is essential.

2.11.2 Returning Officers are to ensure that their premises provide adequate security for the ballot papers both before and after the election. Their safe custody is paramount. If ballot papers are within areas public have access to they must not be left unattended eg issuing offices, headquarters, hospitals etc.

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- 2.11.3 Returning Officers are required to give to the person printing the ballot papers a receipt in Form E30-E specifying the total number of ballot papers received by them. It shall be the duty of the printer to see that all ballot papers other than those delivered to the Returning Officer are immediately destroyed (s. 196 (a)). This requirement is to be given in writing to the printer.
- Returning Officers are reminded that after the ballot papers are received Form E30-B must be certified and forwarded without delay to the Chief Electoral Office so that Printing Industries New Zealand can be paid.
- 2.11.4 Deputy Returning Officers are required to give the Returning Officer a receipt specifying the total number of ballot papers received by them (s. 196 (b)) using the receipt attached to Form E46 and E48.
- 2.11.5 Returning Officers are required to give each Deputy Returning Officer a receipt (Form E30-K) for the parcel of used ballot papers (s. 196 (c)).
- 2.12 Training and Instructions to Issuing Officers and Deputy Returning Officers
- 2.12.1 It is the responsibility of each Returning Officer to ensure that all staff issuing ballot and/or voting papers receive adequate training on voting procedures.
- 2.12.2 Prior to polling day General Returning Officers must arrange for all Deputy Returning Officers within the district to attend a training session at which procedures for the election can be explained and practised.
- General Returning Officers MUST include staff appointed by the Maori Returning Officer to issue Maori Ordinary Ballot and/or Voting Papers.
- 2.12.3 A copy of: E3 Handbook - A guide for polling day staff, an E17A Workbook, an E18 - Instructions for the Issue of ordinary Local Restoration Poll voting papers (where applicable), E132 Extract of Index to Places and Streets should have been sent in the envelope provided at least three weeks before the training session date to each Deputy Returning so that they can be studied and the

workbook exercises completed and returned to the Returning Officer at least seven days before the training session date. (See sections 2.7.17 and 2.7.18).

It must be stressed to Deputy Returning Officers that extreme care must be taken when issuing special votes.

2.12.4 The Chief Electoral Officer will advise details of fees payable for attending a training session, (see section 7.1.14 (c) and E165G).

2.12.5 The conduct of the poll can alter from one election to another because of changes to legislation and the review of the previous election. This is particularly relevant for the first election under MMP.

It is therefore vital that staff are fully conversant with the current system.

2.12.6 The training session can also be an ideal opportunity to distribute (at the conclusion of the session) the booth supplies listed on Forms E46 and E48.

2.12.7 The Chief Electoral Office will provide training aids for use at training sessions.

2.12.8 All Deputy Returning Officers should be issued with specific instructions in writing covering the items listed in 2.12.21 as applicable plus other local information.

2.12.9 When staff are advised of the date of the training session they should be instructed that they MUST read and study the E3, and complete the workbook exercises using the E17A, an E18 - Instructions for the issue of ordinary Local Restoration Poll voting papers (where applicable) and E132 before attending the training session and that they must attend a training session (staff should be warned that attendance is compulsory and those who do not attend may be replaced without further notice).

2.12.10 The written appointment E20-F will tell them the polling place where they will be employed and the name, address and telephone number of their Poll Clerk and the person in charge (if applicable).

2.12.11 Where there is more than one polling booth in a polling place Deputy Returning Officers must be informed of the name, address

and telephone number of the person who will be in charge of the polling place.

The Deputy Returning Officer in Charge will be responsible for the opening and closing of the building and will also be required to collate the ordinary vote count returns from each ordinary booth and Tangata Whenua and special votes issued from each special booth and advise the Returning Officer of the combined totals for the polling place.

Usually the Deputy Returning Officer in Charge will be responsible for the issue of special votes in that polling place.

- 2.12.12 It is also important that booth procedures, (although in the main covered in the Handbook - A guide for polling day staff(E3)) should be further emphasised in writing to Deputy Returning Officers and these should be incorporated in the Returning Officer's instructions to Deputy Returning Officers (See section 2.12.21). Local conditions differ so it is important to cover in such instructions items such as where to return supplies and when, telephone numbers of headquarters, getting the results in, responsibility for the correct completion of all forms, and the importance of booth stamps on all documents.
- 2.12.13 **Scrutineers** Instructions to Deputy Returning Officers must be explicit about scrutineers. They may come and go freely but only one at a time may be present in a booth and each must produce evidence of appointment and complete a declaration available in the polling day supplies E20-H, (see ss. 160, 175 and 178).
- 2.12.14 **Qualification to Vote** Polling booth staff are frequently questioned by voters who have recently moved into the electorate and are in doubt as to their eligibility to vote in either the new or old electorate. If voters insist on voting for an electorate for which they don't qualify polling day staff should note the declaration accordingly. Although booth staff can suggest that voters may not be qualified to vote in the new electorate or even in the old one, they should leave the decision and choice of electorates to voters if they decide to proceed.

It is the responsibility of voters to notify N.Z. Post of their change of address. If they have not done so and are not enrolled in the new electorate after one month they lose their qualification for enrolment

and voting in the old electorate, unless they have gone overseas or have not resided in any other electorate for the one month qualifying period.

2.12.15 Special Voting Including Tangata Whenua Votes Staff must clearly understand that except in the circumstances stated in section 2.12.16 no person is to be refused a vote. It is not their responsibility to question eligibility. Enrolment is available to an elector up until the day before polling day. If registered after writ day [s. 88] the name of any elector such as a person turning 18 after that date will not be on the printed roll and these persons can only vote by way of a special vote

- (a) Tangata Whenua Votes are to be issued only if there are no facilities for ordinary Maori voting at a polling place and the criteria is met; (see section 3.6.9).
- (b) Special Votes (other than Tangata Whenua Votes) are to be issued if the elector is:
 - (i) On the unprinted roll, i.e. is qualified and has applied for registration after closure of the roll.
 - (ii) Definite that he or she should be on the roll, i.e. has completed one months residence in the electorate and has applied for registration in the electorate.
 - (iii) From another electorate where he or she is qualified and enrolled.
- (c) Voters wishing to vote for a Maori electorate who attend a General electorate polling place are to be given a Tangata Whenua Vote if there are no Maori ordinary voting facilities and they met the criteria or a special vote.



They must not be sent elsewhere to obtain a vote

2.12.16 Absent Voters An Issuing Officer may, however, refuse to issue voting papers to an agent unless satisfied that the voter would qualify for the issue of a special vote as set out in section 2.12.15.

2.12.17 Voting - Ensure that no elector is sent from a polling place where he/she has sought a vote. A Maori elector in a General polling place is not to be sent elsewhere but is to be given a Tangata Whenua

Vote if on the reference roll, or a special vote. Likewise an elector from another electorate is to be given a special vote, and is not to be directed to another polling place for an ordinary vote.



Inform all Deputy Returning Officers and Poll Clerks that no elector is to be refused a vote or sent elsewhere to obtain one.

2.12.18 **Pamphlets, Cards, etc. left in Booths** All Deputy Returning Officers are to ensure that no election or poll propaganda in the form of pamphlets or cards are left in booths or polling places. If voters bring a pamphlet or card into the polling place for their own guidance it should be taken away. If left behind it should be removed promptly by a member of the polling booth staff. No publicity likely to influence voters is permitted on polling day.

2.12.19 **Results from Deputy Returning Officers to Returning Officers** Wherever toll calls are used by Deputy Returning Officers to telephone results to their Returning Officer. The Deputy Returning Officer should follow the written instructions from their Returning Officer.

2.12.20 **Results Maori Electorates** Deputy Returning Officers appointed by Maori Returning Officers for polling places with ordinary Maori booths will advise their Maori electorate ordinary booth results direct to the Maori Returning Officer.

2.12.21 **Returning Officers must emphasise in their written instructions to DRO's the following:**

Before Polling Day Issues:

- Contact with Poll Clerk re arrangements.
- Check of Facilities re equipment
- Polling Day Officials who are in a single booth situation working outside their electorate and on the roll, to cast a vote before polling day i.e. Polling day officials cannot witness their own signature.
- Resolving problems encountered during polling day

During Polling Day:

Declarations E20-H taken before voting commences.

That staff must follow the procedures for the election and not rely on previous knowledge as there are major changes in procedures since the previous election.

The importance of ensuring that the booth stamp impression is placed on ballot and/or voting papers, the booth roll used for the issue of ordinary votes, the electoral returns and other papers. This could reduce work during the scrutiny of the roll and the official count and expedite identifying a booth.

That reference rolls should not be marked in any way when special ballot and/or voting papers are issued.

That extreme care must be taken when issuing special voting papers.

Scrutineers role as per their handbook.

No voter to be refused a vote

2.12.21

Ordinary Votes - Poll Clerk must:

- Use Red ballpoint pen only
- Use a Ruler
- Correctly identify voter

Special Votes - DRO must:

- Use Index to Places & Streets in all cases and initial Panel A of the declaration that the Index has been checked
- Sign declaration
- Witness declaration correctly

Close of Poll

- Preparation for counting and balancing
- Accurate counting of votes

Results

The method and importance of transmitting polling place results to the electorate headquarters on election night. These instructions must be quite clear and it should be stressed that the results sheet must balance before the results are sent.

Return of Material

- Keep ballot and/or voting papers flat
 - The procedure to be followed for the return of material to the electorate headquarters.
 - Material listed on Form E48 should be returned to the Maori Returning Officer
- Leaving polling place in a tidy condition
 - Payment of staff arrangements.

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- 2.13 Nomination of Scrutineers for an Indicative Referendum
- 2.13.1 Rules about scrutineers for an indicative referendum are found in ss. 29 to 37 of the Citizens Initiated Referenda Act 1993.
- 2.13.2 Two scrutineers are allowed at each polling booth - one to act in the interest of electors in favour of one answer to the indicative referendum question and one to act in the interest of electors in favour of the other answer to the indicative referendum question.
- 2.13.3 The process for the nomination and appointment of scrutineers for the referendum is as follows:
- (i) Any group of ten or more electors who are in favour of one answer to the indicative referendum question may nominate two specified persons to carry out the task of appointing one scrutineer for each polling booth to act in the interest of all electors in favour of that answer to the indicative referendum question.
 - (ii) Any group of 10 or more electors who are in favour of the other answer to the indicative referendum question may also nominate two specified persons to appoint one scrutineer for each polling booth to act in the interest of all electors in favour of the other answer to the indicative referendum question.
- 2.13.4 The nominations must be made in form 3 of the Citizens Initiated Referenda Act. The form must be signed by at least ten electors. Those electors must warrant that they support the relevant answer and that they believe that the persons they have nominated to appoint the scrutineers are also honestly in favour of the relevant answer.
- 2.13.5 The deadline for nominations to be lodged with the Returning Officer is the twelfth day before referendum day. The nominations must be open to public inspection.
- 2.13.6 After the deadline for the receipt of nominations has passed the Returning Officer must then publicly notify the day on which he or she will publicly consider all the nominations and hear any objections made to those nominations. This day must be not earlier

than the tenth day before referendum day or later than the fifth day before referendum day.

- 2.13.7 On the advertised day the Returning Officer considers all the nominations and any objections made to them. He or she must then select from all the nominations two persons who are in favour of one answer and two persons who are in favour of the other answer. The two persons in favour of one answer may then appoint one scrutineer for each polling booth to act in the interest of all electors who are in favour of that answer. In the same way the two persons in favour of the other answer may appoint one scrutineer for each polling booth to act in the interest of all electors who are in favour of the other answer.
- 2.13.8 The Returning Officer must record the selection of the persons to carry out the appointment of scrutineers on form 4 of the Citizens Initiated Referenda Act.
- 2.13.9 The persons selected by the Returning Officer to appoint scrutineers must then record the appointment of the scrutineers for each polling booth on form 5 of the Citizens Initiated Referenda Act.
- 2.13.10 The scrutineers appointed by the persons selected by the Returning Officer must make the declaration made by all electoral scrutineers (form 2 of the Citizens Initiated Referenda Regulations 1995) ie form E20-H (CIR).
- 2.14 Nomination of Scrutineers for the Local Restoration Poll
 - 2.14.1 Rules about scrutineers for the Local Restoration Poll are found in sections 9 to 17 of the Local Restoration Polls Act 1990.
 - 2.14.2 At every polling place within each no-licence district there may be two scrutineers for the poll. One scrutineer will be appointed by those favouring the poll, and the other will be appointed by those opposing it.
 - 2.14.3 Scrutineers are selected by a panel of two people. Those two people are selected by the Returning Officer from nominations received on Form 2 of the Act. Two people may be nominated on each nomination form. The form must be signed by 10 electors, who each warrant that they support or oppose the poll, as the case

may be. Nominations must be lodged with the Returning Officer not later than the twelfth day before polling day and must be open to public inspection.

- 2.14.4 The Returning Officer must publicly notify a day on which he or she will publicly consider all nominations and select the two persons who will appoint the scrutineers. The day must be not earlier than the tenth day before polling or later than the fifth day before polling day.
- 2.14.5 The Returning Officer must make the selection on Form 3 of the Act.
- 2.14.6 The scrutineers appointed by the persons selected by the Returning Officers must make the declaration used by all electoral scrutineers (Form 1 of the Second Schedule to the Electoral Act 1993).

3.1 Voting Issues

- 3.1.1 At a general election each voter has a ballot paper with two votes. One vote decides the share of seats which each of the listed parties will have in Parliament (Party Vote). This vote is the same for everyone. The other vote is to elect the local electorate MP exactly as has been done in the past (Electorate Vote).
- 3.1.2 In by-elections, a party vote is not conducted and only parliamentary constituency ballot papers are used.

3.2 Voting Categories

- 3.2.1 There are two types of voters: ordinary voters and special voters.

There are 4 types of votes described in this section:

- 1 Ordinary Votes (3.3)
2. Votes in District before Polling Day (3.4)
- 3 Ordinary Hospital Votes (3.5)
- 4 Special Votes - including
Tangata Whenua Votes,
New Zealand Special Votes (3.6)
Overseas Special Votes (3.7) and
Overseas Defence Force Special Votes (3.8)
Voting by Prison Inmates (3.9)

- 3.3 Ordinary Votes
 - 3.3.1 These are the votes issued on polling day within the polling places for voters who attend in person and are on the roll held at that booth.
 - 3.3.2 These ballot and/or voting papers are those that the Chief Electoral Office has had printed by the selected printer, see section 2.9 on Printing and Delivery of Ballot Papers.
 - 3.3.3 Chapter 6 of the Handbook - A guide for polling day staff (E3) outlines the procedures for the issue of ordinary ballot and/or voting papers.
 - 3.3.4 All votes cast on an ordinary ballot and/or voting paper must be counted at the close of the poll on polling day and included in the preliminary count. These papers are counted again later at the official count.
 - 3.3.5 Ordinary ballot and/or voting papers may also be used for special voting in the district before polling day (see section 3.4) and for hospital voting (see section 3.5).
- 3.4 Votes in District before Polling Day
 - 3.4.1 Electors who are on the printed roll may choose to have a special vote before polling day at an Issuing Office. A person is eligible for a special vote under these circumstances if he or she - intends to be absent from the district on polling day; or intends to be outside New Zealand on polling day; or will be prevented by illness, infirmity, pregnancy or recent childbirth from attending at a polling place or has a religious objection to voting on the day of the week on which polling day falls; satisfies the Returning Officer or Issuing Officer that attendance at a polling place in the district would cause hardship or serious inconvenience (reasons given).
 - 3.4.2 Issuing Officers should have a booth stamp and an electoral roll allocated to them, so they can administer votes before polling day.
 - 3.4.3 Voters on the roll seeking to exercise an ordinary vote in their electorate before polling day must attend in person at an Issuing Office. The Issuing Officer will first establish whether the voter is

on the roll for that electoral district. If the elector is not on the roll, the procedure set out in section 3.6 (for Special Votes) is followed.

- 3.4.4 If the voter is on the roll, he or she must fill out and sign the Declaration by Voter before Polling Day (E30-H) Panels A and B before being issued with ordinary ballot and/or voting papers. The voter must indicate the ground(s) on which the vote is being sought in Panel B. The Issuing Officer should witness the declaration in Panel C, sign and date it and stamp the declaration form with the booth stamp. If the Issuing Officer is not satisfied that the voter fulfils any of the grounds for seeking a special vote, he or she may refuse to sign the declaration.
- 3.4.5 There is no requirement to complete an E100-A for these types of votes.
- 3.4.6 Having completed the declaration form, the Issuing Officer should then issue the voter with ordinary ballot and/or voting papers, following the procedure outlined in Chapter 6 of the Handbook - A guide for polling day staff. The page and line numbers must be noted on the declaration form as well as on the butt of the ballot and/or voting papers.
- 3.4.7 When the voter has filled in the ballot and/or voting papers, he or she should fold them in half and place them in the secured ballot box.
- 3.4.8 The secured ballot box, and all papers used by the Issuing Officer, must be delivered to the Returning Officer before the close of the poll on polling day. On election night the Returning Officer shall then open the box and count the votes, and shall include the result in the preliminary results.
- 3.5 Hospital Votes
 - 3.5.1 Provision for issuing hospital votes is contained in regs. 19 and 23 of the Electoral Regulations.
 - 3.5.2 Under these regulations, every Returning Officer is required to ensure that as far as practicable facilities for special voting are made available at every hospital, maternity home, or institution for the

reception or relief of persons requiring medical or surgical or other treatment or suffering from any illness, disease, or disability, or for convalescent, aged, infirm, incurable, destitute, or poor persons.

- 3.5.3 Contact should be made with your nearest Ministry of Health office or Regional Health authority to ensure that any establishments created since the previous election will be covered.
- 3.5.4 Returning Officers should refer to the Returning Officers Diary E11 prepare an updated list of all such hospitals, homes, or institutions located within their electorate and make arrangements with the respective people in charge of the institutions for Issuing Officers to visit each of these places during the week(s) prior to polling day. Several visits to a Public Hospital may be necessary.
- 3.5.5 The number of votes distributed and issued in total to hospitals must be recorded in the Ballot Paper Account in the Returning Officers Journal (E32-K).
- 3.5.6 The person issuing hospital votes, may, with the approval of the person in charge of the institution, be accompanied by any person appointed by the local branches of political or other organisations interested in the election or poll. If the person issuing the votes is not accompanied by any such people, he or she shall be accompanied by a person appointed by the Returning Officer. (Reg. 19(6)). In the past, institutions have been unhappy at having many interested persons going through the hospitals etc. A compromise now being used is for a local JP to accompany Issuing Officers, with the JPs acting on behalf of the political or other organisations. Arrangements for this should be made at a meeting of interested persons organised by Returning Officers.

Some institutions will not be in favour of giving scrutineers access as of right into their institutions because of the likely adverse impact on both patients and the efficient running of the institutions.

Should there be no approval of the Medical Superintendent or other person having charge of the hospital, home or institution to persons representing political parties accompanying issuing officers, Returning Officers are to appoint a Justice of the Peace, pursuant to

reg. 19(6), to accompany issuing officers, as an independent observer. They should not act as issuing officers.

The Justice of the Peace will oversee the voting process and ensure that the provisions of the Electoral Act are carried out properly and that each patient/resident is given the opportunity to cast a valid vote.

Before voting commences at the hospital or institution the issuing officer and Justice of the Peace will first meet with the principal nurse, or person in charge, on arrival. Issuing Officers and Justices of the Peace will be guided by the principal nurse as to each patient's condition, whether a direct approach would be disturbing to the patient and others in the hospital, and whether a patient is likely to understand what he or she is being asked.



Regardless of who accompanies the Issuing Officer, all Special Declaration forms must be signed by the voter him or herself.

3.5.7

It is often the case that although a hospital or institution is situated in a particular electorate, there will be a number of patients from adjoining electorates.

It is advisable for the Issuing Officers making hospital visits to have with them, in addition to those for their own district, the rolls, ballot and/or voting papers, and ballot boxes for adjoining electorates, so that ordinary votes can be issued rather than special votes. Decide on the approach after discussions with Returning Officers from adjoining electorates. Historical information will be provided by the Chief Electoral Office. Overall it is the responsibility of the Returning Officer in whose electorate the facility is situated to ensure voting is carried out efficiently.

Each Issuing Officer visiting institutions should be allocated a booth stamp and supplies as if they were running a booth on polling day.

Issuing Officers should wear name identifications when visiting hospitals etc.

The procedures outlined in the Handbook - A guide for polling day staff (E3) should be followed for the issue of ordinary or special votes. The only exception is that the list of special voters (E100-A) name and electorate should be completed where a special vote is issued.

- 3.5.8 Where patients are on the roll, they should be marked off the hospital booth roll, issued with ordinary votes, and their marked votes deposited in a ballot box specifically for hospital votes as if they were attending at a ordinary booth on polling day.



No Declaration E30-H is required

- 3.5.9 Patients not on the roll will, of course, have to be supplied with a special vote for the respective electorate and complete a special vote declaration. A Declaration by Special Voter before Polling Day E83 should be issued if the vote is completed before polling day and a Declaration by Special Voter on Polling Day E81 if the vote is completed on polling day.
- 3.5.10 Any ordinary votes taken on behalf of an adjoining electorate together with the marked roll, unused voting material, list of special voters and counterfoils of used ballot and/or voting papers, together with the Ballot Paper Certificate, Accounting and Results Sheet E101 must be delivered to the Returning Officer for the adjoining electorate before the close of the poll on polling day.
- 3.5.11 It is suggested that a list of persons who have voted be left with the person in charge of each institution. This could prevent dual voting. The list should be updated after each visit. Another method to safeguard Returning Officers in major institutions would be to use the form set out in section 3.10.
- 3.5.12 Returning Officers are required at the close of the poll to count votes cast at hospitals on ordinary ballot papers for their electorate and include the totals in their election night figures.
- 3.5.13 Parliamentary paper E9 for each election includes statistics on Hospital voting, see section 6.3.7.
- 3.5.14 Care must be taken when transferring the names marked as voted from the checkit roll used at hospitals to the certified roll used on polling day.
- 3.6 Declaration by Special Voter Before Polling Day (E83) and Declaration by Special Voter on Polling Day (E81)
- 3.6.1 **Declaration by Special Voter before Polling Day (E83)** are supplied with bulk supplies from GP Print Forms Store. These

papers are purple in colour and distributed based on Returning Officers requirements. Further supplies can be arranged by the Chief Electoral Office on request due to unforeseen circumstances

If further supplies of these Special Voting Declarations are requested Returning Officers should also consider requesting further supplies of E82 and E94.

3.6.2 The Declaration by Special Voter (E83) comprises a form - with grounds particular to before polling day . A consecutive number series will be printed on the declaration. Unnumbered special ballot and/or voting papers will be supplied after nomination day by the Chief Electoral Office. As special votes are issued issuing officers will need to transcribe the number from the declaration to the ballot and/or voting paper for the elector's electoral district.

3.6.3 The grounds on which a voter may cast a special vote before polling day are -

Not on printed roll: Voter's name does not appear on any of the printed rolls for the district or has been wrongly deleted from a printed roll for the district.

Outside Electorate: Voter intends to be absent from the electorate on polling day.

Overseas: Voter intends to be outside New Zealand on polling day.

Illness, infirmity, pregnancy or recent childbirth: Voter's illness, infirmity, pregnancy or recent childbirth will prevent the voter from attending at any polling places in the electorate.

Religious objection: Voter has a religious objection to attending to vote on the day of the week on which polling day falls.

Hardship or serious inconvenience: Voter has satisfied the Returning Officer or Issuing Officer that for the reason given it will not be practicable for the voter to attend at a polling place in the electorate without causing hardship or serious inconvenience to the voter (reason to be given).

3.6.4 The provision of sections 3.4 to 3.5 also apply to special votes cast before polling day.

- 3.6.5 **Declaration by Special Voters on Polling Day E81** are supplied with bulk supplies from GP Print Forms Store and based on Returning Officers requirements. These papers are brown in colour. Further supplies can be arranged by the Chief Electoral Office due to unforeseen circumstances.
- If further supplies of Special Voting Declarations are requested Returning Officers should also consider requesting supplies of items E82 and E94.
- A reserve supply for emergency use only will be held at specified locations. Details will be advised by circular.
- 3.6.6 The Declaration by Special Voter (E81) for use on polling day only, comprises a form with grounds particular to polling day incorporating a Tangata Whenua form. A consecutive number series will be printed on the declaration. Special ballot and/or voting papers will be supplied after nomination day by the Chief Electoral Office. As special votes are issued polling day officials will need to transpose the number from the declarations to the ballot and/or voting paper for the elector's electoral district.
- 3.6.7 The grounds on which a voter may cast a special vote other than a Tangata Whenua vote are -
- Not on printed roll:** Voter's name does not appear on any of the printed rolls for the electorate or has been wrongly deleted from a printed roll for the electorate.
- Outside electorate:** Voter is absent from the electorate on polling day.
- Illness, infirmity, pregnancy or recent childbirth:** Voter's illness, infirmity, pregnancy or recent childbirth prevents the voter from attending at any polling place in the electorate.
- Hardship or serious inconvenience:** Voter has satisfied the Returning Officer or Deputy Returning Officer that for the reason given it is not practicable for the voter to attend at a polling place in the electorate without causing hardship or serious inconvenience to the voter (reason to be given).
- 3.6.8 Chapter 7 of the Handbook - A guide to polling day staff (E3) outlines the procedures for the issue of Special Votes excluding Tangata Whenua Votes.

- 3.6.9 **A Tangata Whenua vote** is only available on polling day and is issued in the following circumstances.
- (a) The elector attends in person at a General polling place that does not provide ordinary Maori voting facilities; and
 - (b) The elector's name appears on the roll for a Maori electoral district.
- 3.6.10 Chapter 8 of the Handbook - A guide to polling day staff (E3) outlines the procedure for the issue of Tangata Whenua Votes.
- 3.6.11 Returning Officers will prior to polling day receive applications from three sources for special voting papers for votes away from a polling place. These may be received:
- (a) Direct from an elector, usually by mail or by telephone.
 - (b) From an agent for an elector.
 - (c) From political parties acting as agents for electors.

3.6.12 When the application is received direct from the elector the letter should be treated as an application in place of an E78. When made by telephone, an E78 should be sent to the elector unless the Issuing Officer is satisfied that the application is made in good faith and it is not practicable for a written application to be made, (see reg. 20). In that case the necessary papers should be prepared and posted to the voter. The Declaration before Polling Day (E83) should be used for applications received and that will be completed before polling day.

3.6.13 When an application is received from an agent or a political party on form E78 the necessary papers should be prepared, sealed in an envelope E79 addressed to the elector, and either posted, or handed to the agent or political party for delivery to the elector. Ensure that form E78 has been signed by the elector.

3.6.14 **Witnessing of Special Vote Declarations** Political parties may want their canvassers or other persons appointed to witness the signatures of voters on special vote declarations.

In such cases each witness must be appointed by the constituency candidate or party list candidate (not the party) in writing. Each appointment must be approved by the Returning Officer before the person is authorised to act as a witness.

Form E23 should be made available to constituency or party list candidates. On approval the original should be given to the appointed agent and the carbon copy retained by the Returning Officer.

Persons appointed by these candidates and approved by the Returning Officer should be invited to attend a separate training session specifically conducted for such persons.

Once approved an agent can witness special vote declarations for any electoral district. (reg. 26(6)).

3.6.15 Campbell Island and Raoul Island are part of New Zealand. Periods of residency on these islands count as residence at the address where the elector resided before going to either of these islands. A special declaration (E30-M) should be available to persons who are or have been resident on these islands within one month before polling day.

Special provisions have been made in reg. 27 of the Electoral Regulations for the handling of votes cast if the votes cannot be received by the relevant Returning Officers in time to be counted.

3.7. Overseas Special Votes

3.7.1 These Declarations (E84) are similar to the New Zealand Specials but are green in colour. They are used for all voters who intend to be overseas on polling day.

A small supply for Returning Officers will be forwarded to Returning Officers well before polling day.

3.7.2 Usually these will be returned by Overseas Returning Officers or Overseas Deputy Returning Officers.

3.7.3 However, the occasion will arise when an application is received, usually by letter, from a person overseas asking for the necessary papers to be sent by a Returning Officer in New Zealand. These can be issued as soon as nominations close and the names of the constituency candidates and party list names are known and party list names have been confirmed by the Chief Electoral Office after nominations close and a copy of the final special ballot paper has been received E2. New Zealand special vote declarations (E81) or (E83) should not be issued to overseas voters.

3.7.4 When providing overseas voting papers follow the procedures outlined in the booklet 'Instructions to Overseas Issuing Officers' (E4).

Make sure that all the necessary material is forwarded to the voter.

3.7.5 All Overseas Returning Officers are appointed by the Chief Electoral Officer pursuant to reg. 43 of the Electoral Regulations. Overseas Returning Officers appoint such Overseas Deputy Returning Officers as they consider necessary to issue voting papers.

3.8 Member of Defence Force Overseas Special Votes

3.8.1 Section 60 (f) provides that any member of the Defence Force who is outside New Zealand is qualified to vote at any election in the

district if they will be 18 years of age or over before polling day and their place of residence immediately before they last left New Zealand is within the district.

- 3.8.2 It is not necessary for such service personnel to be enrolled on the electoral roll for the district.
- 3.8.3 Declarations by Member of Defence Force (E86) which are white in colour can only be issued as provided under reg. 46 of the Electoral Regulations.
- 3.8.4 Regulation 46 (3) provides that every member of the Defence Force relying upon this provision, who apply to vote, must deliver to the Issuing Officer a certificate from the officer commanding their unit to the effect that to the best of that officer's knowledge and belief the person concerned is entitled to vote.
- 3.8.5 Every person shall be deemed to have complied with this requirement if their name is included in any such certificate delivered by the officer commanding their unit to the Issuing Officer.
- 3.8.6 Overseas defence force personnel votes may be cast at any time between the closing of nominations and the receipt of electorate ballot papers E2 by overseas posts and 4.00 pm local time on the day before polling day.
- 3.8.7 The declaration by defence force personnel applying to vote as special voters is prescribed by form 20 in the schedule to the Electoral Regulations.
- 3.8.8 Overseas defence force voting forms are not supplied to Returning Officers in New Zealand. They are only held by Overseas Returning Officers.
- 3.9 Voting by Prison Inmates
 - 3.9.1 Provision for issuing votes to prison inmates is contained in ss. 80(1)(d) and 81 of the Electoral Act 1993.
 - 3.9.2 Agreement has been reached with Corrections Operations for Issuing Officers to visit prisons so that eligible inmates can vote.

- 3.9.3 It will be necessary for Returning Officers in whose electorate a prison is located to liaise with the local prison General Manager to make detailed arrangements.
- 3.9.4 Scrutineers may accompany Issuing Officers so long as both Issuing Officers and Scrutineers comply with the necessary security requirements of the prison.
- 3.9.5 The preferred day to visit for voting purposes would be the Friday of election week, so that all late remandees are covered. However, the number of eligible electors may determine the timetable.

- 4.1 Visits to Polling Places
- 4.1.1 During the hours of polling, namely 9.00 a.m. to 7.00 pm. the Returning Officer should visit as many polling places as practicable to see that voting is proceeding in a proper and orderly manner.
- 4.1.2 These duties can be shared with headquarters staff so that the Returning Officer will also have some time available in the office.
- 4.1.3 While on these inspections it is important that the Returning Officer or headquarters staff regularly contact the headquarters by cellphone so that any problems can be quickly dealt with.
- 4.1.4 Officials should leave itineraries at headquarters to assist contact.
- 4.1.5 Prior to setting out on inspection duties the speedometer reading of all cars being used should be recorded. At the completion of such duties speedometers should be again read and recorded. This will form the basis for payment of mileage expenses.
- The rates are shown in kilometres only. See section 7.1.11 for details as to rates payable.
- 4.1.6 For electoral purposes prior to polling day it is preferred that private cars be used and mileage claimed. Where Returning Officers require the use of a car on polling day, a rental vehicle should be considered where available and the costs would be cheaper than using a private vehicle.
- Extended use of rental vehicles is to be avoided.
- 4.1.7 Each officer visiting polling places should carry supplies of declarations all types of ballot and/or voting papers, envelopes and other forms used in the booths together with ballot markers, ballot boxes, stationery and free-standing polling booth signs so that these can be issued where required. A special check should be made with special booths of the number of E2 ballot papers requiring replacement for the electorate, neighbouring electorates and other electorates where papers issued have been used up.
- 4.1.8 When any additional supplies of ballot and/or voting papers or special voting declarations are issued on these visits they must be entered on Ballot Paper Certificate, Accounting and Results Sheet (E30-J or E100B or E89 or E101) for the polling booth. A note must

be made so that the Headquarters Results Sheets can be updated. The Headquarters Results Sheets must be altered so that there are no complications when the results from the polling places are received after the close of the poll.

- 4.1.9 On such visits the officer must check that the poll clerk and scrutineers, interpreters and ushers have completed their declarations (E20-H) and that duties are being carried out properly by all concerned, particularly those relating to special votes. Most Returning Officers will have access to mobile telephone services to assist them to maintain telephone contact with headquarters while visiting polling places. If used, it is important to ensure batteries are fully charged for a full day's use. Tape recorders, if available, can also be useful in recording particulars regarding polling places and staffing performance.
- 4.1.10 It is also a good opportunity to confirm with the Deputy Returning Officer in charge or supervising Deputy Returning Officers the requirements for notification of results.
- 4.1.11 Where appropriate leave with polling officials the yellow copy of the IR.12 for Deputy Returning Officers, poll clerks, interpreters and ushers.
- 4.1.12 It is important that no polling booth should run out of supplies and Returning Officers should instruct all Deputy Returning Officers to advise their headquarters as soon as any supplies are running low so that stocks can be replenished in ample time.
- 4.1.13 Additional packs of booth supplies should be made up prior to polling day to establish additional booths on polling day if required.
- 4.1.14 The electorate bank account is not to be used to purchase meals for headquarters staff on polling day.
- 4.2 Complaints
 - 4.2.1 During the course of the election and particularly during the hours of polling on polling day various complaints regarding procedures may be received at the Returning Officer's headquarters. Any complaint should be acted on immediately.

- 4.2.2 If the complaint is received in person, it should be recorded in writing in the E11 (Returning Officer's Diary) in the section provided, including the time and signed by the complainant. If a person is registering a complaint on behalf of a political party, then that fact should be recorded in the body of the complaint.

4.2.3 If the complaint is received by telephone, it should be recorded by the person answering the call in the E11 and if warranted the complainant must be asked to put the complaint in writing and deliver it to the Returning Officer as soon as possible. The time of the complaint should be recorded.

4.2.4 Most complaints received on polling day are concerned either with party names being exhibited or emblems, slogans, or logos on vehicles. If a vehicle is involved, the complainant should give details of the vehicle, including its registration number, and the locality where the problem occurred.

4.2.5 **How Scrutineers May Display Party Affiliation** The following items, in party colours but without party name, emblem, slogan or logo, may be worn on the person or displayed on a vehicle:

- (a) ribbons;
- (b) streamers;
- (c) rosettes (but see also the special rule about party lapel badges below);
- (d) items of a similar nature.

Party lapel badges may be worn anywhere on the person. A party lapel badge is any badge or rosette designed to be worn on the lapel and bearing a party name, emblem, slogan or logo.

None of the above items may be displayed on bags or briefcases.

4.2.6 Sections 197 to 204 of the Electoral Act 1993 list offences at elections and all Returning Officers should make themselves thoroughly conversant with these sections. The Returning Officer's powers to remove statements, slogans, logos etc. are set out in s. 198.

The other offences include:

- interfering with or influencing voters on polling day (s. 197);
- erasing or altering any official mark on a ballot paper (s. 200);
- fraudulently defacing or destroying any ballot paper, fraudulently taking it out of a booth, or interfering with ballot papers or boxes (s. 201);

- attempting to obtain, or communicating, information about a voter's choice of candidate for whom or party for which any vote is given, or about their ballot paper number (s. 203).

4.2.7 Returning Officers must immediately investigate any complaint received, and for their own protection must keep a written record of any action taken by them, or by members of their staff. Provision for this has been made in the Returning Officers Diary E11.

4.2.8 If necessary the Returning Officer may ask for assistance from the Police in investigating any such complaint.

4.2.9 All written complaints received concerning the conduct of electoral officials in terms of the legislative or administrative requirements not being met should be forwarded to the Chief Electoral Office by facsimile within 2 days of receipt with an explanatory memorandum or copy of the reply to the complainant.

4.3 New Zealand Post Arrangements

4.3.1 For the efficient conduct of an election it is important that the Returning Officer maintains a very good relationship with the local New Zealand Post outlet, and with the Registrar of Electors for the district, who check the special vote declarations of voters not on the printed roll for the district.

4.3.2 New Zealand Post on request may make certain arrangements for polling day.

The Returning Officer should liaise with an officer from New Zealand Post prior to polling day and discuss any special arrangements required.

4.3.3 **Mail clearance** It will be necessary for Returning Officers to arrange with New Zealand Post for collection (at 7.00 pm. on election night) of all mail addressed to them to ensure that all special votes are in their hands at that hour. The last mail sort for Saturday is normally completed around midday.

4.3.4 On polling day New Zealand Post outlets will be closed all day. It is therefore essential that each Returning Officer makes arrangements about uplifting special votes which might be on hand

in the Post Office at 7.00 pm. The rental of a post office box will assist this aspect, (see section 2.1.9 and 2.4.2).

4.4 Election Night

4.4.1 **Counting Votes in Office** Immediately the poll closes, the Parliamentary and any other poll votes already in the possession of the Returning Officer, namely those cast as ordinary votes in the following categories:

- (a) Hospital votes and
- (b) Votes in district before polling day

must be counted by headquarters staff and the results included in the election night count.



This will take longer than it has for previous elections and will need to be resourced adequately

4.4.2 Results from Polling Places - Instructions will already have been issued to all Deputy Returning Officers, Deputy Returning Officers in charge or supervising Deputy Returning Officers, advising them of the manner in which you require their results.



Remember that only a composite result is required from each Polling Place and not results from individual booths. Separate instructions will be given if there is another poll with the parliamentary ballot.

4.4.3 The Deputy Returning Officer responsible for co-ordinating all results within a polling place should have been designated by name to all Deputy Returning Officers in that polling place.

4.4.4 In General electorates, the instruction will usually be for results to be telephoned to the Returning Officer.

In Maori electorates ordinary Maori polling place results will be completed by telephone, and instructions should be included with the polling booth supplies sent to Deputy Returning Officers by the Maori Returning Officer.

4.4.5 Returning Officers in electorates where telephoning results would be by way of a toll call should establish an 0800 number because it should be less costly. To overcome any situation where there is a toll bar telephone at a polling place including for 0800 numbers,

cellphones provided by polling day staff could be utilised. The Chief Electoral Office will advise by circular if any arrangements at a national level can be made.

- 4.4.6 Where a polling place has only one booth issuing ordinary votes the Deputy Returning Officer should take the results from the booth Ballot Paper Certificate, Accounting and Results Sheet E89 or E101 and forward them to the Returning Officer.
- 4.4.7 In a polling place with more than one ordinary vote booth the results should be transcribed by the Deputy Returning Officer in charge or the supervising Deputy Returning Officer from each booth's Ballot Paper Certificate, Accounting and Results Sheet to a Polling Place Results Sheet E98 or E99.
- 4.4.8 The number of Tangata Whenua and special votes issued is also to be given to the General Returning Officer only from special booths. This information should be given through the Deputy Returning Officer in charge or the Supervising Deputy Returning Officer.
- 4.4.9 Each Returning Officer will require at least five clerks to receive and collate results and where a PABX is in use, operators should be employed to channel incoming calls. This will depend on the number of polling places within the electorate. The length of incoming calls will take considerably longer to process than has been the case in the past. See section 2.4.3.

Suggested staff is five or more telephonists/clerks, three collators, three sorters in Urban electorates (for receipt of returned material), and Returning Officer's assistant.



Staff employed on election night should not be paid any extra money on top of any fee paid as a polling official during polling day unless they work after 10 pm.

- 4.4.10 Each clerk should have a supply of prepared Headquarters Results Sheets, form E52 or E55 which provide the following information.
- The name of the polling place and the number of the booths. The total number of papers supplied should have been entered on the E52 or E55 before they are given to the clerks.

- 4.4.11 The clerk will complete the E52 or E55 for each polling place as each result is received.

The party vote will be completed first followed by the electorate vote.

The clerk must read the details back to the supplier of the information, check that the results include the results from all the booths the total number of Tangata Whenua, and the total number of special votes issued from the polling place and that the total papers supplied agrees with the figures previously entered on the E52 or E55.



The quickest method of callback appears to be entry by entry confirmation. eg Polling Place caller says Smith 104, Headquarters collator says Smith 104.

- 4.4.12 The Returning Officer must then arrange for the Headquarters Results Sheet (E52 or E55) to be checked.

- (a) A visual comparison between the totals of the Ballot and Voting Papers (if any). If the counts for the party vote and electorate vote are different (including informals) the Deputy Returning Officer should be asked to recheck the figures.



It may be that under MMP some electors will not vote for either the party vote and/or the electorate vote It should be remembered that this is an election night result only and it will be up to each individual Returning Officer to decide whether or not the figures need to be rechecked by the Deputy Returning Officer. In summary there needs to be a balance between total accuracy and timeliness of a result being provided.

- (b) Totals added on an adding machine (see section 2.8.4) to ensure that the totals balance.
- (c) Total Papers supplied agree with the HQ records. The Deputy Returning Officer, Deputy Returning Officer in charge or the supervising Deputy Returning Officer should be contacted in the event of any queries.

- 4.4.13 The checks listed in section 4.4.12 must be done before the E52 or E55 is passed to the first collator or released to the media.

4.5 Election Day Materials and Equipment

- 4.5.1 In all electorates specific instructions will need to be given to all Deputy Returning Officers about the method of returning all voting materials and equipment.

The instructions for the return of the voting materials must ensure their receipt by the Returning Officer on election night in urban electorates and by the Monday where practicable after polling day in all other electorates.

To reduce delays Returning Officers should consider using community groups (e.g. Scout Groups, Lions etc) to deliver and return booth supplies in electorates where the supplies are not uplifted and returned by Deputy Returning Officers.

- 4.5.2 Clerical staff must be on duty to receive and check these materials and to issue the Deputy Returning Officers with the Returning Officer's Receipt to Deputy Returning Officer after the Poll (E30-K).

- 4.5.3 When receiving materials the clerk must ensure that envelope "H" containing the Polling Place Results Sheet E98 (if applicable) and (E30-J or E100 or E89 or E101) are handed in separately.

- 4.5.4 If Deputy Returning Officers hand in their material it is an opportune time to hand to them their yellow copy of their IR. 12 tax code declaration if not already handed out during polling day.

- 4.5.5 If materials are not being returned to Returning Officers on election night Returning Officers should open their office for a stipulated period on the Sunday so that as many Deputy Returning Officers as possible can return their materials before the Returning Officer commences the next stage of the work on the Sunday. Consideration should be given to providing pre-addressed labels (E163) to Deputy Returning Officers.

- 4.5.6 All padlocks, where applicable, should be returned to the General Returning Officer including areas serviced by SERCO Services.

Padlocks and keys should later be returned by the General Returning Officer to the storage area.

4.6 Arrangements for Media etc

- 4.6.1 On election night the news media and political parties show a great deal of interest in the results as they come to hand, and each Returning Officer can expect something of an invasion at their headquarters on election night. Media outlets after nomination day will have been provided with a media handbook (E16) by the Chief Electoral Office.
- 4.6.2 Press, radio, and television representatives will normally call on the Returning Officer prior to election day and arrange for accommodation to be made available for them on the night of the election.
- 4.6.3 The media should be required to make their own arrangements regarding telephones and usually arrange installation direct with Telecom. It is not the responsibility of the Returning Officer to provide telephone facilities.
- 4.6.4 On occasions they may wish to use portable telephones etc and no objection should be made to this provided it does not disrupt the work of the Returning Officer or the staff, particularly those operating the phones or doing the collating of returns.
- 4.6.5 The ideal location for the media is a separate room away from but handy to the Returning Officer, but this is not always possible. They should, however, be located far enough away from the Returning Officer so as to not interfere with polling night procedures.
- 4.6.6 After the Returning Officer's staff have finished with Headquarters Polling Place Result Sheets, a copy of part of the information can be made available to the media and parties.
- 4.6.7 Copies of the first collator's progress result sheets once the required report has been sent to the Chief Electoral Office, should also be made available to the media and parties.
- 4.6.8 The constituency candidates seldom request permission to be present at the Returning Officer's headquarters on election night but quite often the political parties have someone present.

- 4.6.9 This point should be discussed with them prior to election day and, where possible, arrangements made.
- 4.6.10 It is not the responsibility of the Returning Officer to supply telephone or other facilities for political parties. They should be given any assistance provided the work of the Returning Officer or the office is not impeded.
- 4.6.11 The Returning Officer's responsibility on election night is to produce the result of the election and assistance to the media and political parties must be secondary to this objective.
- 4.6.12 The Returning Officer will publicly announce the election night count for their electorate upon receipt of all polling place results and after the final result has been sent to the Chief Electoral Office.

4.7 Description of the Election Night Facility

- 4.7.1 **How to complete the Progress Results Sheets** The "checksum" is a simple method of ensuring that the transcription of the figures supplied by you have been correctly entered onto the Chief Electoral Office database.

Apart from the first result from 5 polling places a maximum of only 15 of your polling places should appear on each subsequent sheet. eg If Auckland Central had 48 polling places there would be a total of 4 returns consisting of 5, 15, 15, and 13 polling places. These procedures will be explained in detail at the Returning Officers' Seminars but should you have any problems understanding the system before polling day, contact the Chief Electoral Office.

You will be provided with a master copy of the first progress result sheet, allowing for 5 polling places and the balance of forms required allowing for each of the 15 subsequent polling place results required for your electorate which have been partially completed with your electorate name and number.

Using as an example the first progress result sheet for Albany E168.

- (1) Complete the Hospital Votes and Issuing Office votes as soon as they are available. There is no pressure on you to have these in the first progress result. Send them when they are ready.

- (2) Once you have received and recorded the first five results add them all across the pages to give the totals for each polling place on the right hand side of the last page of the set, then add the columns down the pages to give the totals for each party name using a printout calculator.
- (3) Total (a) should be the total from the "**TOTALS**" column, as well as the cumulative total of each party name plus informals. ie they should cross add.
- (4) Complete (b) with the number of polling places (cumulative) you have received the results from.
- (5) Enter your electorate number into (c) then calculate (a) + (b) + (c) to give the checksum.
- (6) Repeat the process for the Electorate Candidate Results and subtotal, then include Tangata Whenua and special votes before completing steps (3) (4) and (5).

Each set of result sheets should be prepared by one person and checked by another and the Progress Result Sheet initialled. Subsequent Progress Result Sheets follow the same format except that total figures (including polling places) are carried forward from the previous result sheets set.

- (7) The Returning Officer should take responsibility for final sign off.
- (8) Fax to the Chief Electoral Office fax number designated for your electorate.
- (9) You will have been trained in how to complete these procedures. You should therefore ensure that the staff utilised on election night understand the procedures if they are completing the forms.

The checksum facility will enable transcription errors to be highlighted once they have been entered on the database. If the system identifies an error the Returning Officer will be contacted to reconfirm details. Each Returning Officer will require a dedicated cellphone number for communication between Returning Officers and the Chief Electoral Office if required.

If any other referendum poll is held in conjunction with the parliamentary ballot the above procedures will either be modified by circular or a third checksum will be required.

Local Restoration Poll results from the no-licence districts Returning Officers will only require one advice to the Chief Electoral Office with the final polling place result or subsequent to that final result.

4.7.2 **Number of Results**

The computer system is flexible to the extent that if your 'final' result is delayed due to one or two polling places being outstanding, you should send the information you have at that time and, when the outstanding return(s) are received send them in the normal manner. This will require you to photocopy an extra progress result sheet.

4.7.3 It is imperative that you follow the procedures as outlined in this manual or as amended by circular.

Your figures must be checked on printout adding machines prior to the faxing of the results.

You should be aware that Television One, Television 3, Radio NZ, the NZ Press Association and many others will be relying on the information produced at the Chief Electoral Office so their expectations are based on the procedures as outlined being followed by Returning Officers.

4.7.4 If for any reason the fax system malfunctions you may be required to forward results by telephone to the designated numbers to be advised.

Should difficulties arise with the telephone system, Returning Officers will be contacted on their designated cellphone number and advised to implement the above mentioned back-up system.

4.7.5

Election Night The election night computer system will need to be loaded with an accurate list of the total number of polling places you will be reporting on by a date to be advised.

Advise the number of polling places, using the following format no later than ten days before the election:

Number of Polling Places
plus	
* Number of Issuing Offices	
plus	
* Hospital Vote Booth(s)
Total Polling Places	_____

* The number will depend on whether you treat these as individual booths or you intend to combine the results for reporting purposes.

5.1 Post Election Activities

On the Sunday following the poll Returning Officers should assign staff to the tasks listed in this section. A number of the tasks are handled concurrently and Returning Officers should employ sufficient staff to meet the Post Election Task timetable outlined in the sections below. A Post Election Activities Chart is given at section 5.11.14. The scrutiny should commence by 9.30am on the Monday. The Official Count under legislation s.178 (2) can commence after completion of the scrutiny of ordinary booths and special votes on hand has been completed following the poll.

Staff requirements should be reviewed daily.



An amendment to the Electoral Act s. 20A allows the Returning Officer by writing under his or her name to delegate to any person any of the Returning Officer's functions, powers, rights and duties under ss. 175, 176, 177 and 178 or under any regulations made in relation to the allowance or disallowance of special votes. ie Scrutiny of the Roll and Official Count. The designated person must have previous headquarters electoral experience. A special hourly rate of payment has been fixed for the person(s) undertaking these statutory functions.

Returning Officers should again read Part VI of the Act and Parts II and III of the Electoral Regulations 1996 for the instructions on the handling of ordinary and special votes.

Extra time should be worked on any day to expedite completion of the scrutiny and official count utilising the delegated person to keep the process moving. It is essential for the official count to be completed and the result of the poll declared as soon as possible. Although special votes cannot be finalised until after 7.00 pm. on Tuesday, ten days after polling day, it should be possible in most electorates to complete the scrutiny by the Friday following polling day and official count of ordinary votes and special votes on or before Tuesday (ten days after the poll) so that the only task remaining is the scrutiny and counting of the remaining specials to allow a final result to be announced on Wednesday the 11th day

after the poll. Returning Officers will be aware of the interest in the final results and the sooner these are announced, and the Clerk of the Writs and the Chief Electoral Officer advised, the sooner the formalities of government can be completed.

If it becomes necessary to work overtime every night and Saturday and Sunday this is to be done utilising the designated person(s) to ensure the task is accomplished, and results announced, no later than the Wednesday 11 days after polling day.

5.2 Unpacking Booth Materials

5.2.1 Materials returned from the polling booths must be unpacked as soon as possible, checked and sorted into respective categories in booth number order.

5.2.2 The following are the categories into which these materials should be sorted:

Envelope A	Notices of Appointment of Scrutineers, Declarations made on Polling Day, and Record of Security Seals
Envelope B	Marked Certified Roll
Envelope C	Spoilt Ordinary Ballot and/or Voting Papers
Envelope D	Voters' Answers on E30-L and Ordinary Votes in Envelope E79
Envelope E	Unused Ordinary Ballot and/or Voting Papers including Partly used Books and Stubs of Issued Ballot and/or Voting Papers
Envelope F	Used Ballot Papers including any set aside in Envelopes C and D
Envelope H	Certificate, Accounting and Results Sheet(s)
Envelope I	Used Citizens Initiated Referendum Voting Papers including any set aside in Envelopes C and D (if applicable)

Envelope K	Applications for Special Votes, Spoilt Special Ballot and/or Voting Papers
Envelope L	Unused Declarations and Special Ballot and/or Voting Papers including Partly Used Books and Stubs of Issued Declarations and Special Ballot and/or Voting Papers
Envelope M	Special Votes for other than your own District
Envelope N	Special Votes for this District only
Envelope O	Declarations by Ordinary Voters Applying for Special Local Restoration Poll Voting Papers and Envelopes E92
Envelope P	Informal Local Restoration Poll Voting Papers
Envelope Q	Used Ordinary Local Restoration Poll Voting Papers and Envelopes O and P
Envelope R	Unused Ordinary Local Restoration Poll Voting Papers including partly Used Books and Stubs of Issued Ordinary Local Restoration Poll Voting Papers

5.2.3 Also returned from each booth should be a plastic bag (E130) containing the booth stamp and other items to be reused eg scissors and rulers.

5.2.4 Material returned from each booth must be checked to ensure that a Certificate, Accounting and Results Sheet has been completed and that all accountable items have been returned.

In addition each Certificate, Accounting and Results Sheet must be checked against the Polling Place Results Sheet if applicable. Each Headquarters Results Sheet must be checked against the Polling Place Results Sheet, or, in the case of a single booth polling place, against the Certificate, Accounting and Results Sheet .

5.2.5 Returning Officers who find that there has been an error in the election night count must advise the Chief Electoral Office and make a press announcement. Preferably the announcement should

be made on the Monday after polling day but not later than the Tuesday following the poll. (If this is not done it might appear that the Returning Officer is trying to cover up.)

5.3 Special Votes for Other Electorates

5.3.1 Special votes received in each polling place for other electorates will be found in envelope "M".

In addition special votes for other electorates will have been received prior to polling day at Issuing Offices.

5.3.2 Envelope "M" must be opened at the first possible opportunity. The voting envelopes E82 from envelope "M" along with any special votes taken before polling day, must be sorted into their respective electorates. The sorter boxes E128 could be used for this purpose. Make sure that a booth stamp impression is shown on the reverse side of each voting envelope to indicate that it was received before the close of the poll.

5.3.3 Once all envelopes "M" have been opened and the voting envelopes E82 sorted, the special votes for each electorate, including those cast prior to polling day are to be placed in separate envelopes for postage or delivery. A schedule E120 must be completed with more detailed information concerning Special Votes for your electorate and surrounding electorates and Special/Tangata Whenua Votes for the Maori electorate(s) within your General electorate.

5.3.4 Each Returning Officer will be supplied with a complete set of adhesive labels (E49-E) showing the Post Office box addresses of all Returning Officers. These should be stuck on the envelopes containing the special voting envelopes for the respective electorates.

5.3.5 These envelopes should be despatched as soon as possible but not later than the Tuesday after polling day by courier or by vehicle within metropolitan areas or by the quickest means possible. Returning Officers should utilise Courier Post or similar overnight courier facilities that deliver to post boxes. Prepaid envelopes are

available from Courier Post in various dimensions. Envelope requirements should have been determined, ordered and received before polling day. These include a customer copy tracking ticket. Only one envelope or parcel should be despatched to each electorate. On no account should special votes cast prior to polling day be despatched progressively or individually. Courier Post overnight delivery service to post boxes will have a card informing receivers that there are special votes to be collected. Any overnight courier envelopes will be in the box by 9 am the following day if in any CBD area or group of shops/businesses in a suburb. The Chief Electoral Office will advise you of the ordering details by circular well before polling day.

Courier Post overnight envelopes come in 4 different sizes in packs of 25. The ones you require are:

A5 fits approximately 20 special votes.

A4 fits approximately 50 special votes.

The Chief Electoral Office has a contract rate with Courier Post for these envelopes.



If E79 envelopes are utilised they require an 80 cent postage stamp.

If sent by other than Courier Post ensure that a location address is used not a box number. (Refer E151.)

5.4 Special Votes for Your Own Electorate

5.4.1 Returning Officers, in addition to the special votes received in envelope "N" from their own polling places, will also receive special votes from the following sources:

- (a) Delivered to the office prior to the close of the poll
- (b) By mail prior to the close of the poll

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- (c) From other Returning Officers up to 10 days after polling day (see section 5.3)
 - (d) Overseas or Defence Force special votes by mail up to 10 days after polling day
 - (e) Delivered by mail or otherwise after the close of the poll and not falling within category (c) above
 - (f) Overseas or Defence Force special votes by mail received after 7.00 pm. 10 days after polling day

On receipt of any special vote envelopes follow the procedures set out in the E120 for the recording of special votes/Tangata Whenua votes received from other electorates within New Zealand.

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- 5.4.2 Special voting envelopes in sections 5.4.1 (a) (b) and (d) and those received in envelopes "N" must be authenticated with a booth stamp for your electorate.
- 5.4.3 When special voting envelopes are received from other Returning Officers (section 5.4.1 (c)) which do not bear a booth stamp a check should be made with the appropriate Returning Officer to determine if they were received in time. If it can be confirmed that they were received in time the special voting envelopes should be endorsed ``Checked with Returning Officer electorate
- Received in time in the electorate.
- Signed Returning Officer electorate".
- 5.4.4 The Special Votes Action Chart at section 5.11.15 or the Post Polling Day Procedures for Maori Returning Officers at section 5.11.16 outlines the procedures for handling special votes after the poll.
- 5.4.5 All special voting envelopes and declarations must be consecutively numbered using numbering machines. Four separate series of numbers should be used for the following types of votes:
- (a) Declarations by Special Voter in New Zealand before Polling Day on form E83
 - (b) Declarations by Special Voter in New Zealand on Polling Day E81
 - (c) Declarations by Overseas Special Voters on form E84
 - (d) Declarations by Member of Defence Force Special Voters cast overseas on form E86.

5.4.6 Those voting envelopes in sections 5.4.1 (e) and (f) which have not previously been marked as being received late by a polling official must be endorsed "Disallowed Received Late" and signed by the Returning Officer.

5.4.7 **Special Votes Received Late** These should be consecutively numbered within the respective types. The voting envelope should have been endorsed "Disallowed Received Late".

The declaration must also be endorsed "Disallowed Received Late", signed by the Returning Officer and held for the scrutiny.

The compartment of the voting envelope containing the ballot and/or voting papers must not be opened (with the exception provided in section 5.4.15).

5.4.8 **Processing Special Votes Received On Time**
should be dealt with as follows:

- (a) Check all envelopes have a booth stamp and envelope address is for your electorate. If addressed to another electorate check ballot and/or voting papers and despatch immediately to correct electorate.
- (b) Open declaration part of envelope and extract declaration
- (c) Using a numbering machine number the envelope (on the back) and the declaration (on the front) with the same number (see section 5.4.5)

A separate numbering system should be used for each of the series in section 5.4.5.

A suggested number series for special vote declarations and Tangata Whenua form envelopes is as follows:

Declarations before polling day	0001 -	1000
Declarations on polling day	1001 -	5000
Overseas	5001 -	6000
Defence Force Personnel	6001 -	7000
Tangata Whenua forms (Maori electorates only)	7000 -	15000

Each numbering machine should be labelled stating which type of vote it is used for.

A record should be kept for each type of declaration as follows:

Date	Starting number
Date	Last number issued.

This is to be recorded on a daily basis so that you know what your last number was in case the machine is inadvertently used again. Keep this running consecutively. Do not erase any figures or dates.

Keep a note of any numbered envelopes which you may have forwarded to other electorates, and deduct these from your final totals of the machines before commencing official count of specials.

Do not reissue numbers which have been sent to another electorate.

Keep declarations in 4 separate categories:

1 Disallowed	Declaration not in order - RO
2 Declarations	Not Qualified - ROE
3 Qualified by RO	Allowed by RO.
4 Qualified by ROE	Allowed by RO
(Maori Returning Officers will have additional separate categories)	

- (d) File envelopes for qualified declarations in numerical order in a suitable container

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- (e) Sort qualified declarations into alphabetical order. An alphabetical sorter board should be used if available
 - (f) Check declaration against a copy of the printed roll for the district provided by the Registrar of Electors following polling day.
 - (g) If name and address found mark the declaration "Qualified". Enter the page and line number in the space provided on the declaration and retain for checking
 - (h) If the name is not found on the printed roll, or the computer compiled lists of confirmed late enrolments to be provided to Returning Officers for the checking of special votes, check whether the nominated address for the electorate is valid for your electorate using Index to Places & Streets or if you are unsure, send the declaration to the Registrar of Electors for further checking

HOWEVER, if the Returning Officer believes that the vote would be disqualified even if the voter were qualified to vote (i.e. disqualified on other grounds) then the Returning Officer does not need to forward the declaration to the Registrar of Electors (Reg. 35(4))



See Section 3.8 for procedure for Defence Force votes

- 5.4.9 Both the Returning Officer and the Registrar of Electors must be completely familiar with the requirements for the checking of special vote declarations. It is imperative that this be done expeditiously and accurately by all taking part. Declarations must not be allowed to accumulate and should be forwarded and returned progressively. Contact the Registrar of Electors in advance and discuss procedures.
- 5.4.10 Your attention is particularly drawn to the Electoral Regulations. Please read them carefully. The responsibilities of Returning Officers, and Registrars of Electors are clearly set out:
- (a) The Registrar of Electors determines whether a person whose name does not appear on the roll was or is qualified to vote in the electorate (Reg. 36) in which he or she voted.
 - (b) The Returning Officer or designated person decides whether a special vote is to be "allowed" or "disallowed" (Reg. 37).
- 5.4.11 **Identity of Voter** When checking the rolls for any purpose it is the elector's name which is the identifier. The address may be different so long as the name, or one of the names, supplied by the elector is on the roll and the address is within the electoral district.
- 5.4.12 The voting envelope containing the actual votes **MUST** always remain in the custody of the Returning Officer and only the declarations are sent to the Registrar of Electors.
- 5.4.13 When forwarding declarations to the Registrar of Electors a record must be kept of their numbers. The number referred to here is the

numbering machine number (section 5.4.8 (b)). Form E31-A, which is provided for this purpose, should be prepared in triplicate. Two copies should be forwarded to the Registrar of Electors with the declarations. The Registrar of Electors should return one copy when returning the declarations.

- 5.4.14 When declarations are returned from the Registrar of Electors the record should be amended by deleting the number of these declarations so that at any time the number of declarations outstanding is known.
- 5.4.15 **Missing Declarations** If when opening the "Declaration" portion of the voting envelope the declaration is missing you should check to see if the declaration has been included in the "Ballot and/or Voting Paper" portion. If it is, extract it and immediately reseal the "Ballot and/or Voting Paper" portion. Endorse on the envelope "Opened pursuant to Regulation 33" and sign the endorsement.
- 5.4.16 If the declaration is not located in the "Ballot and/or Voting Paper" portion of the voting envelope, contact the Returning Officer for the electorate where the vote was issued. Give them as much information as possible, such as the number of the vote and the polling booth number from which it was issued. A search of the supplies returned from that booth may result in the declaration being located.
- 5.4.17 If the declaration is not located by the completion of the official count the envelope must be endorsed
"Disallowed No Declaration", and signed by the Returning Officer or designated person.

5.4.18 Declarations marked "**Not Qualified**" must be endorsed "**Disallowed Not Qualified**" and signed by the Returning Officer or designated person and held for the scrutiny. The voting envelope must similarly be endorsed and signed.

5.4.19 The declaration not qualified should be placed in alphabetical order progressively. Experience at previous elections has shown that voters not on the roll have completed more than one declaration.

There votes should be dealt with under section 5.7

5.5 Declarations of Qualified Voters

5.5.1 The procedures set out in section 5.4 show the steps to be taken to establish whether or not the voter is qualified.

5.5.2 Declarations marked "Qualified" must be examined by the Returning Officers or the designated person to determine whether or not the vote should be allowed.

5.5.3 Each declaration is to be checked for the following points:

- (a) That the declaration has been signed by the voter.
- (b) That the date has been completed.
- (c) That the witness has included their full name and address (if not an Issuing Officer), has signed as witness and has shown their qualification:

Witnessing of Declaration Reg. 25 limits the witnessing of special vote declarations to particular persons. Unless a declaration is witnessed by a person authorised under legislation the declaration is invalid and the vote should be disallowed. If the special vote has been cast within your electorate or in another electorate you should ensure that witnesses claiming qualification under reg. 26 are properly authorised.

- (d) If the declaration is in Forms 16, 17, 18 or 21, that the form

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- (i) Indicates the ground or grounds for claiming a special vote
 - (ii) If the ground is hardship or serious inconvenience, that reasons are given
 - (e) If the witness is an Issuing Officer, that he or she has signed as a witness in the space provided on the declaration, and has placed an impression of the booth stamp or other official mark in the place provided.



The declaration form requests that the voter provide his or her date of birth and any former name and contact telephone number. This is to help with the checking of the enrolment qualification. A vote should not be disallowed solely because this information is not provided.

- 5.5.4 Where the declaration has not been signed by the voter, the vote must be disallowed.
- 5.5.5 Where the declaration has not been dated or is incorrectly dated, the vote can still be allowed.
- 5.5.6 Where the witness section of the declaration has not been signed, or has been signed by a person not authorised to act as a witness, the vote may be allowed as long as the Returning Officer is satisfied that the declarant signed the declaration in the presence of some person who was authorised to act as a witness. Where the witness purported to be an Issuing Officer but that witness had either failed to sign the witness section or had neglected to place the booth stamp on the form, the vote may be allowed if the Returning Officer is satisfied that the witness was in fact an Issuing Officer.
- 5.5.7 If the declaration on Form 17 or Form 18 fails to show the grounds for seeking a special vote, the vote should be disallowed. (Reg. 37(3)). The only exception is where the person's name does not appear on the main roll or any supplementary roll for the district or has been wrongly deleted from any such roll.
- 5.5.8 If a voter has used Form 17 instead of Form 18 (usually because they have taken away a Form 17 declaration for use before polling day but have in fact signed it on polling day, by which time they should have used a Form 18 declaration), the vote may be allowed so long as it is properly completed.
- 5.5.9 Where a vote is disallowed because the declaration is wrong or incomplete, the declaration and the voting envelope must be endorsed "Disallowed Declaration Not in Order" and signed by the Returning Officer or designated person. The endorsement should be made on the form itself, not on the label attached by the ROE.

The compartment of the voting envelope containing the ballot and/or voting papers must not be opened.

Where special votes are to be disallowed, staple declaration (with name, address and number visible) to voting envelope. Store these in alphabetical order in separate boxes and maintain securely. They will be required later to complete statistical returns.

The declarations should be sorted into alphabetical order within the types listed in section 5.4.5 and held for the scrutiny. The declarations will also be required later to compile the statistical returns E31-D and E31-E and the List of Special Voters Not on the Printed Roll (s. 187 (3) see also form E31-F) which must identify those votes disallowed.

5.5.10 The following are extracts from the decision in the Hunua Election Petition (M.38/79 Auckland) which deal with certain deficiencies in the declaration:

- (a) Declaration was not signed by the elector. We are satisfied that the signing of a declaration by a special voter is fundamental to his/her right to be entitled to such a special vote and in cases where the declaration has not been signed by the voter or proved to have been so signed we have held the special vote to be invalid and disallowed it.
- (b) Declaration not properly witnessed In cases where there was a signature which was that of an issuing officer but the declaration did not have his/her official mark, we allowed the vote where it was proved to our satisfaction that the signature of the witness was in fact that of the Issuing Officer. The voter in such cases was entitled to have his/her special vote allowed in accordance with s. 115 (1A) (now s. 178 (3) Electoral Act 1993) of the Act which provides:

"No special vote shall be disallowed by reason only of some error or omission on the part of an official, if the Returning Officer is satisfied that the voter was qualified to vote at the election."

In cases where we were not so satisfied, however, we disallowed the vote.

In cases where there was an official mark affixed to a declaration by an Issuing Officer but he/she had apparently failed to sign as a witness, we also allowed the special vote where we were satisfied on the evidence that the voter had in fact signed the declaration in the presence of the

Issuing Officer. Such special vote was allowed on the ground that the omission of the Issuing Officer to sign was an omission on the part of an official and the vote was saved by s. 115 (1A) (now s. 178 (3) Electoral Act 1993) above. In cases where we were not so satisfied, however, we disallowed the vote.

- (c) Declaration was not dated A challenge to the validity of a declaration was made on the basis that the declaration was not dated. Regulation 17 requires that declarations be made in one of the specified forms. Each of those forms requires the declaration to be dated. It was urged upon us that the omission to include a date in the declaration was a ground to invalidity. We have been unable to find, however, any case where it appears to us that the date of the declaration is in any respect material to its validity and we do not find that the absence of a date is a defect rendering the special vote invalid. Where the only challenge to the validity of a declaration is made on this ground we have declined the challenge.



Declaration checkers should record all errors on a pad for later transcription to the E171 return.

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- 5.5.11 **Special Votes Allowed** The voting envelope containing the ballot and/or voting papers should be placed in the ballot box specially set aside for each type and held for the official count. That box shall be a box that can be securely closed. The voting envelopes should be kept in consecutive number order so that any alleged dual votes can be easily located.

The declarations should be sorted into alphabetical order within the types listed in section 5.4.5 and held for the scrutiny.

The declarations will also be required later to compile the List of Special Voters Not on the Printed Roll.

- 5.5.12 Before the roll is returned to the Registrar of Electors, the Returning Officer must attach to the master roll a list of the names and addresses of all special voters whose names were not on the printed roll apart from those names on the unpublished roll (s. 187 (3) see also form E31-F) and those votes disallowed must be identified.

- 5.5.13 Under the Official Information Act Returning Officers may receive written requests from voters asking whether their special vote was allowed or disallowed and the reasons for disallowance.

Any such requests should be actioned by releasing information shown on the declaration forms, i.e., the grounds for any disallowance, e.g. not qualified under s. 60 by Registrar of Electors, declaration not signed, not witnessed, witness qualification not shown, etc.

Any requests received after material has been despatched to the custody of the Clerk of the House of Representatives should be declined on the grounds that you as Returning Officer no longer have custody of the documents concerned. In such cases you should draw to the attention of enquirers the listing of special voters which you will have sent or will be sending to the Registrar of Electors as an enclosure to the master roll.

5.6 Scrutiny of the Roll (Sections 175 to 177 of the Electoral Act)

5.6.1 Constituency candidates will have already been advised of the date and time that the scrutiny will commence (section 2.10.23).

5.6.2 Constituency candidates are entitled to appoint one or more persons to act as scrutineers on their behalf at the scrutiny and the official count (s. 175 (2)). See section 5.6.11 for attendance at the scrutiny.



The Returning Officer may permit other scrutineers to be present (s. 175 (4)). This is so the roll can be split into sections, with one scrutineer (per constituency candidate) per section.



The appointment must be made by the Constituency Candidate NOT the Party. Every scrutineer must complete a declaration E20-H before being allowed to act.

5.6.3 A scrutineer may be appointed by facsimile transmission (s. 175 (7)).

5.6.4 No party list or constituency candidate can act as a scrutineer (s. 175 (6)).

5.6.5 **Master Roll** In addition to the certified copies of the rolls supplied to the Returning Officer for use on polling day each Registrar of Electors will supply to the Returning Officer for the electorate one certified loose leaf master roll for use at the scrutiny of the rolls and a computer compiled list of confirmed late enrolments provided to Returning Officers for checking of special votes. This will be available on Monday post polling day.

5.6.6 **Post Writ Day Deletions** The Registrar of Electors will supply a list of post writ day deletions from the printed roll which will show the reason for each deletion.

5.6.7 Procedure for marking Master Roll

The Returning Officer should arrange for every post writ day deletion to be ruled out in black ballpoint pen.

Notified deaths should also be ruled out. Black ballpoint pen must be used as other colours are used when the scrutiny of the roll is done.

- 5.6.8 **Preparation for Scrutiny** It is important to have on hand for the scrutiny a supply of the various coloured pens as listed below. Bic Clic 2000 biros in the various colours are recommended. The following colours must be used for the various types of votes:

Red	Ordinary votes (i.e. votes cast by voters whose names are ruled off the booth rolls in polling booths. This will include hospital and votes in district before polling day cast on ordinary voting papers)
Blue	Special votes cast in New Zealand on polling day
Blue ultra	Special votes cast in New Zealand before polling day
Violet ultra	Tangata Whenua votes (Maori Returning Officers only)
Green	Overseas special votes
Brown	Defence Force special votes
Black	DELETIONS AS ADVISED BY THE REGISTRAR OF ELECTORS

A key to the above colour code must be attached to the master roll.

- 5.6.9 The Returning Officer should also have on hand a supply of ruled paper so that any suspected dual votes can be noted with the booth numbers etc as per the example form.

Other matters for investigation such as votes being recorded in names which have already been deleted in black as advised by the Registrar of Electors should also be noted.

Page No.	Line No.	Name and Address	Booth No.	Booth No.

- 5.6.10 All booth rolls used in polling booths which will be found in envelope "B" and booth rolls used by Issuing Officers prior to polling day in the issue of ordinary votes will be required for the scrutiny.

Care must be taken in marking off the roll used for early voting purposes as the page and line numbers for voter's names will differ from the roll used on polling day.

- 5.6.11 **Scrutiny of the Rolls** The suggested procedures set out below provide for a team of three: a marker, a caller and a checker. The team must be in the presence and/or hearing of the Returning Officer or the person with delegated Returning Officer's powers.

Constituency Candidate's scrutineers Only one scrutineer per constituency candidate may be present at the scrutiny of the rolls unless the Returning Officer permits more to be present (s. 175 (4)). A greater number might be permitted where the roll is divided into sections, with the sections being scrutinised simultaneously. It is expected that one scrutineer per constituency candidate would be present at the scrutiny of each section of the roll.



The number of rolls to be marked in future and the likelihood of increased gaps between marked entries suggests the rolls have to be split or very long hours having to be worked. A master roll in loose leaf form is being provided.

Scrutiny Procedure The marker is placed at the extreme right of the team. He or she draws a line, in the appropriate colour, through the number and name on the master roll of every elector of the district who has received a ballot paper.

The caller is placed on the left of the marker in the centre of the team. He or she calls the page and line number marked on

- (a) every booth roll or
- (b) every special vote declaration or
- (c) every Tangata Whenua form

The checker is placed at the extreme left of the team. He or she checks that no number is missed and no wrong number called.

Booth Rolls Two pages of each booth roll are checked at each call. When the caller calls a number, the marker locates the relevant entry on the master roll, repeats the number, then draws a line, using a red ballpoint pen, through the number and the name on the master roll. When all the numbers on the two pages have been marked on the master roll, the caller passes the booth roll to the checker who immediately turns over the page. When all the rolls have been passed the whole procedure is repeated. The work continues with the rolls moving from left to right and right to left until finished.

Where a number is called which is already marked off on the master roll, the rolls which have been passed over are examined to establish the booth where the duplication has occurred. (It is not necessary to enter the number of the booths on the master roll.) Details of these apparent duplications including the booth numbers should be noted by the Returning Officer for future investigation of possible dual voting or personation utilising style of form under section 5.6.9.

The above system is quick and economical. There are no slack moments, nor staff with idle time as there would be with a large team of callers and only one person marking off.

The scrutiny can be further expedited by employing two teams after unstapling and dividing the master roll. It is a good idea for everyone to change jobs occasionally.

- 5.6.12 Once all the numbers marked on the booth rolls have been marked off on the master roll the scrutiny should continue for the different types of special votes.
- 5.6.13 Special votes cast must be distinguished from ordinary votes on the master roll by using the different colours listed in section 5.6.8.
- 5.6.14 Work from the special vote declarations to mark the master roll for the special votes cast in New Zealand then go through the overseas

votes and votes cast by Defence Force personnel, marking off the roll in the appropriate colour.

- 5.6.15 The page and line numbers for these types of votes in most cases will be found in the panel boxes near the bottom of the declaration.
- 5.6.16 Maori Returning Officers are to use panel E of the E81 declaration to mark off Tangata Whenua votes on the master roll.
- 5.6.17 **Deletions on Main Roll** In the scrutiny of the rolls in respect of votes received from electors whose names are deleted in black from the main roll, it is found that in many cases the deletions were made because of duplication of the entry in the supplementary roll. Returning Officers should check the supplementary rolls before instituting enquiries, or disallowing votes in respect of deleted names. This paragraph will apply only when a supplementary roll is used at an election or by-election.
- 5.6.18 **Deaths of Electors** The list of all known post writ day deletions supplied by Registrars of Electors will include the names of electors who died between the close of nomination day for an election and ending with the close of the day before polling day for that election.
- Returning Officers should bear in mind that it is possible for a person to cast a vote but die before polling day. The deceased elector's name could be on the list supplied to the Registrar but the date of the declaration would determine whether or not the vote was cast before death.
- 5.6.19 **Electoral Offences** A number of Returning Officers have in the past found instances of what appears to be dual voting or perhaps personation. The master roll is marked with deletions of people who had transferred out, or are deceased and several Returning Officers have reported that they have found a vote which has been issued in a name deleted from the roll. A check has shown that the elector has transferred from the roll and enrolled in another electorate. In cases of doubt ask the Registrar of Electors to check their records.

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- 5.6.20 **Dual Voting** Where dual voting has been established, advise the Chief Electoral Officer of details when arrangements are being made for a prosecution.
- 5.6.21 **Personation** Where it appears that someone has voted as a special voter using the name of some other voter, an offence may be involved. Each Returning Officer is to report any case where it appears that someone has applied for a vote using the name of some other elector, thereby committing the offence of personation. In any cases where identity is doubtful or where it is suspected that the declaration has been signed by someone other than the registered elector, the special voting declaration is to be sent to the Registrar of Electors to check the signature against the enrolment record.
- 5.6.22 Each Returning Officer is to furnish the Chief Electoral Officer with a written report as to whether any person appears to have committed the offence of personation when arrangements are being made for a prosecution.



s. 215 (4) places a duty on Returning Officers to report the facts to the Police if they believe that any person has committed personation. This requirement is mandatory. There is no discretion.

5.7 Dual Votes

- 5.7.1 Investigation should commence during the scrutiny when a number is called which has already been marked off the master roll.

If the name in the master roll has been crossed through in black this indicates a post writ day deletion advised by the Registrar of Electors, or

If the name in the master roll has been crossed through in the course of the scrutiny, identify the booth(s) at which voting papers were issued or the type of vote cast. See section 5.6.9.

If unable to identify issuing booths or type of vote assume scrutiny error.

Once issuing booths are identified check whether identical or similar names have been crossed through.

Contact elector to establish at which booth the vote was cast.

Contact electors with identical or similar names not crossed through on the rolls to establish if they voted and if so at which booth.

If a special vote and an ordinary vote in the same name are revealed in the scrutiny investigation should include comparison of the signature on the special vote declaration with the signature held by the Registrar of Electors.

5.7.2 Where, after completion of the scrutiny, a Returning Officer suspects that there may be cases of dual voting or personation that require investigation, they must extract from the parcels of votes the relevant papers.

5.7.3 These are to be extracted from the ballot box containing the special voting envelopes or from envelopes "F" (used ballot papers), and placed in individual envelopes marked "set aside pursuant to s. 177" and signed by the Returning Officer or the designated person. These envelopes should be kept with the relevant booth envelope(s).

5.7.4 In order to ascertain the consecutive number of the ordinary ballot and/or voting papers it is necessary to inspect the counterfoils used in the appropriate booth to find the number of the paper issued to that voter. The voter's entry on the roll is shown on the counterfoil by page number and line number. The counterfoils will be found in envelope "E".

5.7.5 **Action after Investigation**

If the Returning Officer believes that ballot and/or voting papers issued in the name of one elector have been used to vote on by a different person, then that vote should be disallowed. This constitutes the offence of personation, and the details shall be passed on to the Police. s. 215(2)(a).

If as a result of the investigation the Returning Officer believes that the same voter has received more than one ballot and/or voting paper, every vote should be disallowed and the facts on which that belief is based shall be reported to the Police. s. 215(2)(b).



s. 215 (4) places a duty on Returning Officers to report the facts to the Police if they believe that any person has committed personation. This requirement is mandatory. There is no discretion.

If a Returning Officer believes that an error has occurred in the marking of the rolls or in the preparation of the list of post writ day deletions, and that no personation has occurred, both votes should be allowed.

If enquiries by the Returning Officer or the Police cannot be concluded, or prove inconclusive, both votes should be disallowed.

5.7.6 If the investigation discloses that the votes are not dual votes etc. those no longer in doubt should be returned to the appropriate parcel or ballot box.

If the investigation discloses an apparent dual vote, the Police shall be asked to investigate and the Chief Electoral Officer advised of the action taken and the subsequent result. See section 5.6.22.

5.8 Official Count



Objective is to declare a result as soon as possible after 7 pm on the 10th day following polling day.

There are now two equally important requirements:

- (a) to declare a result for the electorate**
- (b) to forward the party vote count to the Chief Electoral Officer to enable the allocation of list seats to be determined. (This cannot be done until the results for all 65 electorates are received by the Chief Electoral Officer).**

5.8.1 Preliminary Requirements

For the official count the following items are required:

- (a) Sellotape for resealing the parcels**
- (b) Envelope "F", (which should contain envelopes C and D).**
- (c) Sorter box E125A with dividers E125B with votes between the dividers**
- (d) Envelope "H" (containing the Certificate, Accounting and Results Sheets E101) from all booths.**



It is critical that the orange E73 cards are left in the sorter box to keep separate the Split and Non-Split votes.

5.8.2 Overview of Official Count

Between polling day and by the time the official count is ready to start key entries of individual booth E101s will have been checked (and amended if necessary) by Returning Officer's staff.

viz: Number of voting papers issued

Number of voting papers still under investigation - noted on envelope F.

Thus the number of voting papers to be counted for each polling booth will have been established and recorded on the E101 in the Returning Officer's Use Only column on line 6 for the Party votes and Electorate votes.

5.8.2 Both party and electorate votes will have to be counted in the official count. You will also need to capture figures relating to Split and Non-Split votes.

Therefore it will be necessary to reverse the process used in the polling booth on election night.

viz: The electorate vote will be recounted first and balanced.
Only then can the party vote be recounted.

From now on all entries on the orange E73 cards go in the "OFFICIAL COUNT" boxes.

Returned Sorter Box should have papers separated into:

- (a) Non-Split votes by party
- (b) Split votes sorted by electorate candidate in front of relevant Non-Split party votes
- (c) Informals E73A, B and C
- (d) Orange E73 cards separating Split and Non-Split voting papers.

A Justice of the Peace must be present at the Official Count (s. 178 (1)). While there are no restrictions upon employing a Justice of the Peace as a clerk, that person cannot also act as the Justice at the official count.

Returning Officers should contact the Registrar of the Justices of the Peace Association and request the Registrar to provide a Justice for the official count. The local District Court Registrar can also identify suitable Justices. The number of papers to be counted within a short time frame means employing a Justice of the Peace who can work extended hours or more than one Justice of the Peace working shifts.

Returning Officers should, before starting the count, advise scrutineers of the rules which will be applied as the count proceeds particularly in relation to valid and informal votes. If the rules are known beforehand it is unlikely that problems with the scrutineers will arise later. See para 7.2 Scrutineers Handbook.

Some electors may have marked their votes according to the instructions on the ballot and/or voting paper (i.e. ticked the circle) but others may have used a cross or have ruled out the parties or constituency candidates for whom they do not wish to vote. The rule is:

5.8.2



Count the vote if the intention of the voter is clear

Only if the intention of voter is NOT clear should the vote be classified as informal

The Returning Officer or delegated officials(s) must carefully read s. 178 and ensure the procedures adopted comply with that section.

5.8.3

Procedure

The number of supervisors available will dictate the number of booths that can be dealt with at separate tables at any given time.

See suggested table layout paragraph 5.8.22. Clerical staff are employed to reconfirm the election night count from the various booths, and count the valid special votes on completion of the ordinary booths. See flow chart in paragraph 5.8.23.

The staff involved in the process in sequence are as follows:

Envelope and sorter box controller

This key person is responsible to ensure, before each ordinary polling booth is counted that all the appropriate items are available for that booth:

- (i) Envelope C and D (in Envelope F).
- (ii) Envelope F.
- (iii) Envelope H containing the close of poll certificates E101.
- (iv) The number of papers to be counted for the booth has been established and recorded on the E101 on the party and electorate vote pages at line 6 in the Returning Officers Use only columns.
- (v) The voting papers have been stored in the sorter box with the orange E73 separating Split and Non-Split electorate votes. If the voting papers are not stored as per the handbook instructions the box should be put to one side for attention by the Returning Officer or his delegate. ie don't slow the process down by reorganising any unsatisfactory booths sorter box as you go.
- (vi) Enter preliminary details including type of booth on Official Count Control Sheet once checks completed. See paragraph 5.8.24.



Controller must keep the Control Sheet updated as each subsequent step is completed.

5.8.3 The controller takes (i) - (v) of 5.8.3 with the sorter box to the Returning Officer (or delegated senior electoral official if the Returning Officer is not present) and Justice of the Peace for the

informal votes to be re-checked before the official count of any ordinary booth is commenced.

5.8.4 **Returning Officer and Justice of the Peace**

The Returning Officer and Justice of the Peace must examine all votes that have been treated as informal and decide whether or not these votes should be counted or remain as informal.



If there is any dispute of the validity or otherwise of an informal vote the Returning Officer's decision will be final.

5.8.5 **Counting Informal Party Votes (Yellow E73C)**

The Returning Officer should remove the yellow E73C and associated voting papers from the sorter box and together with the Justice of the Peace check that each voting paper -

- (a) has correct booth stamp
- (b) is correctly identified as an informal party vote but is a valid electorate vote.

Returning Officer then counts the Informal Party Votes, and enters this number (or nil) in the "Official Count" box on the yellow E73C card.

The Returning Officer then counts the votes for each electorate candidate and checks that the figures in the panel on the E73C card alongside the candidate are correct. He or she then adds the votes cast for individual candidates and checks that the correct figure has been entered in the total box on the E73C.

The Returning Officer then checks that the figures in the total box agrees with the figure in the "Official Count" box and copies this figure to the front of the E101(c). RO's Use Only Column.

The Returning Officer should then place the yellow E73C card on top of the papers and return them to the sorter box in front of the green E73B card.

5.8.6 Counting Informal Party and Electorate Votes (Green E73B)

Remove Green E73B and associated voting papers from sorter box and together with the Justice of the Peace check that each voting paper:

- (a) has the correct booth stamp
- (b) is correctly identified as both an informal party and an informal electorate vote

The Returning Officer counts the Informal Party and Electorate votes and enters this number (or nil) in the "Official Count" box on the green E73B card and copies the figure to the front of the E101(b). RO Use Only Column.

Returning Officer should then place the green E73B card on top of the papers and return them to the sorter box in front of the blue E73A card.

5.8.7 Counting Informal Electorate Votes (Blue E73A)

Remove blue E73A and associated voting papers from the sorter box and together with the Justice of the Peace check that each voting paper:

- (a) has correct booth stamp
- (b) is correctly identified as an informal electorate vote but is a valid party vote.

Returning Officer then counts the Informal Electorate Votes, and enters this number (or nil) in the "Official Count" box on the blue E73A card.

The Returning Officer then counts the votes for each party and checks that the figures in the panel on the E73A card

alongside the party are correct. He or she then adds the votes cast for individual parties and checks that the correct figure has been entered in the total box on the E73A.

The Returning Officer then checks that the figures in the total box agree with the figures in the "Official Count" box

and copies this figure to the front of the E101(a). RO's Use Only Column.

The Returning Officer should then place the blue E73A card on top of the papers and return them to the sorter box behind the green E73B card and associated papers.

5.8.8 Preparation for the Count of Electorate Votes

The controller then takes the sorter box(es) in booth order from the Returning Officer to Clerk No. 2 (checker) on the next available official count table. The sorter box team and start time are recorded on the Control Sheet.

If three person teams (1 - 3) are used one clerk could be the counter (No. 3) and recorder (No. 4).

Four person teams (1 - 4) should be used on each table. One supervisor and three clerks set out as per the diagram in paragraph 5.8.22.

Clerk No. 2 (checker)

Clerk No. 3 (counter)

Clerk No. 4 (recorder)

Clerk No. 1 (Supervisor)

Clerks No. 2 - 4 tasks
should be rotated on a
regular basis

5.8.9 Official Count of Electorate Votes

Clerk No. 2 (checker) - starting with the papers in front of the first party divider in the sorter box removes all voting papers both Split and Non-Split and the orange E73 card.

Clerk No. 2 - takes all the papers between the dividers for a party candidate and carefully checks:

- (a) each voting paper has the correct booth stamp
- (b) Voting papers are correctly sorted into Split or Non-Split
- 5.8.9 (c) that all votes are for the same party, candidate (or independent candidate)
- (d) that there are no informal votes included or possible informals that the Returning Officer should rule upon
- (e) that the E73 is the correct card for that party candidate or independent candidate.

They then hand all those papers and the orange E73 onto Clerk No. 3 (counter).



Ensure that the orange E73 cards are separating the Split and Non-Split voting papers.

Clerk No. 2 - then removes the next set of papers from the sorter box and repeats the process.

Clerk No. 3 (counter) - then counts the Split voting papers and records the total on the orange E73 in the Split Electorate Votes box before the "+" sign. Enter "nil" if applicable.

Clerk No. 3 - then counts the Non-Split votes and records the total in the two boxes.

- (a) Non-Split Electorate Votes
- (b) Non-Split Party Votes

Enter "nil" if applicable.

They then hand all these papers and the orange E73 onto Clerk No. 4 ensuring that the orange E73 card separates the Split and Non-Split votes.

Clerk No. 4 (recorder)

Checks that the numbers recorded in the Official Count boxes are the same as those recorded in the election night boxes less any votes now considered informal.

If the numbers are not the same he or she recounts the voting papers and verifies the entries made by Clerk No. 3 (counter).

Clerk No. 4 - then adds the entries in the Split Electorate Votes box and records the total and then adds the Split and Non-Split Votes boxes to achieve the Electorate Vote total. Enter the Electorate Vote total on the E101 and also enter the split electorate vote total received by each candidate onto the E101. The orange E73 card must still be separating the Split and Non-Split votes.

Clerk No. 4 - then passes all the papers for that candidate to the supervisor (No. 1).

Supervisor (Clerk No. 1)

The supervisor then checks the additions on the E73 card and that the correct figures have been copied to the E101.

The supervisor ensures that the orange E73 card is **beneath** the Split votes and on top of the Non-Split votes and then places the papers back into the sorter box **in front of** the appropriate party divider. When all electorate votes have been counted and recorded on the E101 the supervisor machine adds the figures in the Totals column. This is to ensure that the figures in the Totals column balance with the number of voting papers to be accounted for. ie with the figure at line 6 of Electorate Votes side of E101. They then staple a machine tape to the E101 Electorate Votes page.

The total of the electorate vote count including informals must equal the total of the party vote count including informals because of the one piece ballot paper. It is difficult to go back and reconstruct the electorate vote count once these votes have been redistributed into piles for the party vote count. Therefore a check of the total electorate vote count of all candidates against the total of the certificate E101 to ensure it balances is imperative before

commencing the next step. Then complete a machine tape of the split votes column.

5.8.10 Official Count of Party Votes

The supervisor (No. 1) starting at the front of the sorter box removes all Split votes which should have been stored in front of the orange E73 card.

Leave the orange E73 cards in the sorter box.

All members of the team should now assist in sorting the voting papers into separate piles for each party. Reference to the E101 certificate will indicate how many separate piles may be needed.

Writing the party name on each side of an E90 ballot box lid and utilising the lid for sorting major parties will assist the sort.

It would be advisable to arrange the piles alphabetically.

5.8.10 Having sorted the votes into piles for each party the supervisor (No. 1) locates the relevant orange E73 card and puts it on top of the relevant party votes.

Clerks (No. 2 {checker} and 3 {counter}) - each take a pile of votes and associated E73 card and:

- (i) Check that no informal party votes are included or possible informals that the Returning Officer should now rule upon
- (ii) Check that all voting papers are for the same party
- (iii) Count the votes and record the total in the Split Party Votes box before the "+" sign on the orange E73 card.
- (iv) Add the two entries in the Split Party Votes box and record the total on the E73.
- (v) Add the total of Split and Non-Split Votes and record the total on the Party Votes Total box.

If the total agrees with the total recorded on election night pass the voting papers and E73 card to No. 4 (recorder).

If the total does not agree with the Election Night, less any votes now considered Informal total, pass the papers to No. 3 (or vice versa) who will check and recount them and check all entries on the E73. Amend E73 entries if necessary.

Pass the voting papers and E73 to No. 4 (recorder).

No. 2 and No. 3 clerk progressively work through the piles of party vote papers.

No. 4 Clerk checks the additions on the E73 and records the "Party Votes Total" against the party on E101 and also records the total "Non-Split Party Votes".

All papers are then passed to the Supervisor (No. 1) who checks the entries on the E101 and puts the E73 **beneath** the voting papers and places all papers in the sorter box in front of the Non-Split votes.



Before returning any split votes to the sorter box the supervisor should have removed all remaining orange E73 cards from the box.

5.8.10 The Clerk (No. 4) takes the pile of remaining orange E73 cards and on each card adds the Split Party Votes box and the Non-Split party votes box and enters the Party Vote Total on the E73.

Copy the Party Votes Total to the E101 and also record the number of Non-Split Party votes. Enter "nil" where appropriate on the orange E73 and E101.

Pass the orange E73 cards to the supervisor who checks all new entries on the E73 and on the E101.

No. 2 (clerk) replaces the orange E73's in the sorter box **in front of** any Non-Split votes or in front of the party divider.

No 1 (Supervisor) then machine adds the Party Votes Total column and the Non-Split votes column and enters the totals on the E101. For Party Votes the total in line 11 should agree with the total at line 6. Enter in line 7.

To check the recording of Non-Split Party votes add:

The total of Non-Split Party votes	_____
plus Split Electorate votes	_____
plus Informal Electorate votes line 10	_____

must equal the number of electorate votes counted at line 11.

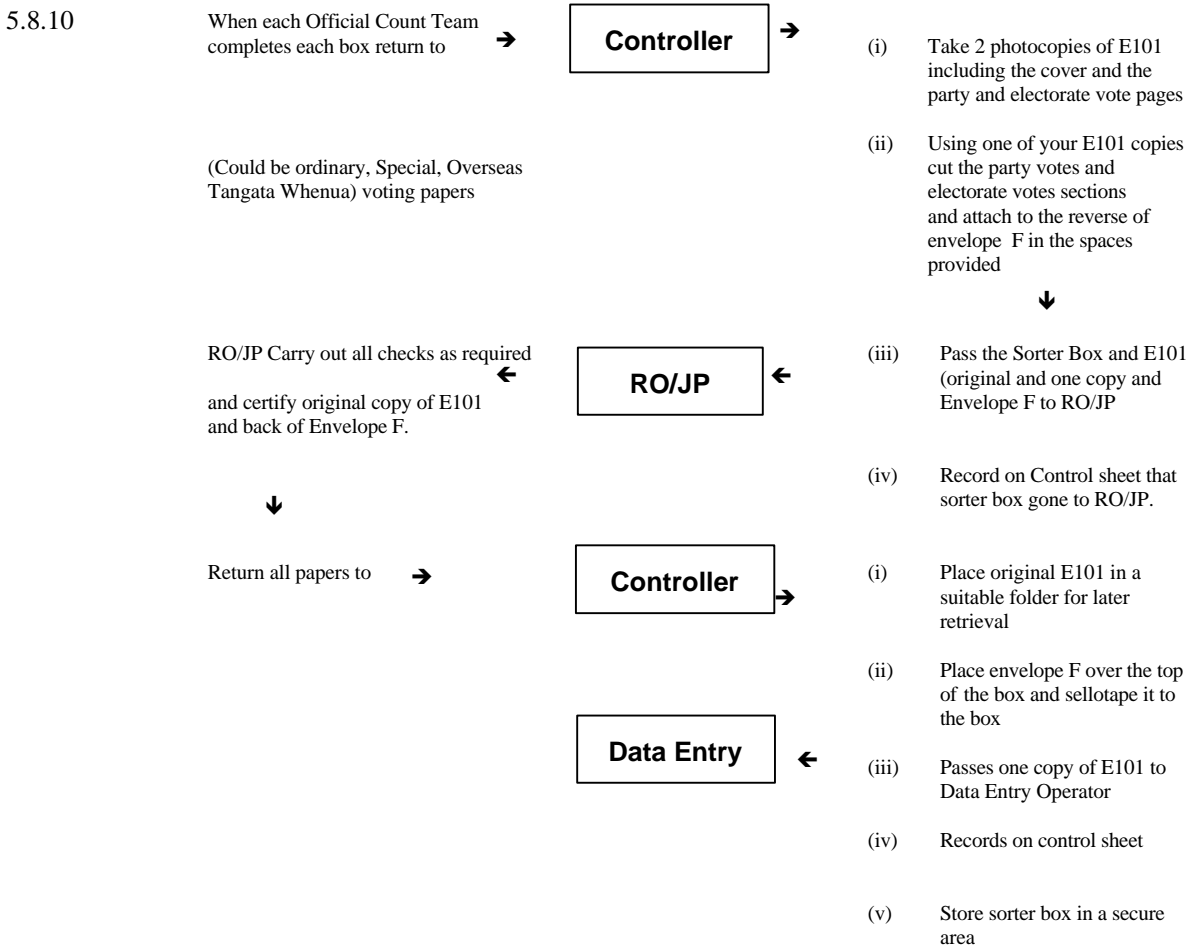


This is your cross check to ensure that you have correctly recorded your Non-Split Party Votes and your Split Electorate Votes.

Attach machine tapes to the E101 Party Votes.

Put the E101 into the front of the Sorter Box and return the box to the sorter box controller table.

Uplift new sorter box from controller and repeat the process.



5.8.11 Counting of Special and Tangata Whenua Votes

The counting of special votes should not commence until the majority of declarations have been returned and checked. Any preliminary counting, before all special votes are available to be counted, may break the secrecy of the ballot. The Wairarapa Election Petition highlighted the problem that can arise if the correct declaration is not matched with the correct envelope before the official count commences.

Count all disallowed declarations, Tangata Whenua Forms, Overseas and defence Force Declarations.

Prepare Statistical Returns as far as possible for votes disallowed. This can be done before the commencement of the official count of the special votes.

Count and balance each type of disallowed special vote declaration separately as per example section 5.8.25.

Declarations

Tangata Whenua Forms (Maori electorates only)

Overseas

Defence Force

You will have already numbered the declarations and envelopes within the suggested number series set out in para 5.4.8 (c). You will therefore need to count separately the different categories of special votes that have been qualified by the Returning Officer ie:

Declarations before polling day

Declarations on polling day

Overseas

Defence Force Personnel

Tangata Whenua forms (Maori electorates only)

Because the voting papers need to end up in the correct order for the possibility of a nationwide recount of party votes you first need to count the electorate votes then the party votes.


The same teams of four that were used for the official count of the ordinary booths should be used, for the counting of special and Tangata Whenua votes.

It is suggested that Returning Officers work with units of a maximum of 500 envelopes (unopened) - less any declarations disallowed or dual votes under investigation. eg 2700 special votes would require 5 units of 500 each and one of 200. Each unit must have its own sorter box, dividers, set of E73 cards, Certificate and Accounting Sheet E101 and an envelope F and be recorded on the official count control sheet.

Special Voting envelope is opened and Voting paper is checked to ensure that:

- each envelope contains a voting paper - If an envelope does not contain a voting paper a note to that effect should be endorsed on the envelope and the envelope given to the Returning Officer.
- it is the correct voting paper for your electorate - if your staff come across a Voting paper which is not for your electorate they should give the envelope and voting paper to the Returning Officer to recheck against the declaration.

Once all of the envelopes in the unit you are working with have been opened the voting papers must be counted to ensure that you have the correct number. If the number of envelopes and voting papers within the unit total being counted figures do not agree, do a re-check of the special voting envelopes already opened.

 **It is important that you commence the official count of special voting papers knowing that you have determined the correct number of voting papers to be counted within each unit. This is the team supervisor's responsibility including recording the figure at line 6 on the party and electorate votes pages of the E101 for each unit.**

5.8.12 Counting of Special Electorate Votes

For this process Clerk (No. 2) and Clerk (No. 3) take prime responsibility for the correct counting and sorting of electorate and party votes.

All four staff assist in sorting the Voting papers into three separate piles:

Non-Split
Split
Informals

Clerk (No. 4) sets out the orange E73 cards in alpha order of parties utilising available space. Clerk (No. 4) may need to create an orange E73 card for electorate candidates representing un-registered parties and independents (if applicable).

Clerk (No. 2) takes the pile of Non-Split Voting papers and sorts into a separate pile for each candidate utilising the orange E73 cards, checking that they are all in fact Non-Split Voting papers.

Clerk (No. 3) on a separate table takes the pile of split Voting papers and sorts initially into five piles: one pile for each of the four larger polling electorate candidates and one pile for all other candidates, checking that they are all in fact split Voting papers. Judgment is required as to the total number of piles needed as the number of electorate candidates will vary from electorate to electorate.

Clerk (No. 4) can assist either Clerk (No. 2) or (3) whoever has the biggest pile.

Clerk No. 1 takes the informal Voting papers and sorts them into their three categories

Informal electorate
Informal Party and Electorate
Informal Party

and completes the relevant E73A, B and C card as well as ensuring that the appropriate entries are made on the orange E73 cards and the E101. Clerk (No. 4) checks all entries made.

5.8.13 Non Split Special Voting Papers

Clerk (No. 3) takes the Non-Split candidates piles (one at a time) and counts the number of voting papers in each pile and records the number of votes for each candidate in the Non-Split Party and Electorate Votes boxes on the relevant orange E73 card.



Any voting papers where the intention is unclear should be referred to the Returning Officer for a ruling. The Returning Officer should endorse their decision on the voting paper on the top right hand corner and initial.

5.8.14 Split Special Voting Papers

Clerk (No. 2) rechecks the count and the entries on orange E73 card and places orange E73 card on top of each pile of Non-Split votes.

Clerk (No 2) takes the split electorate candidates piles (one at a time) and counts the number of Voting papers in each pile and records the number of votes for each candidate in the split electorate votes box before the "+" sign.

Clerk (No. 3) rechecks the count and checks the entries on orange E73 card.

Clerk (No. 4) adds the numbers in the Split Electorate Votes box and enters the total. Then adds the number of Split and Non-Split Electorate Votes and records the total in the Electorate Vote Total box. Clerk No. 4 copies the Electorate Vote total from the orange E73 card onto the appropriate line in the totals column of the electorate votes page of the E101 and also records the split Electorate Vote totals on the E101.

Clerk (No. 1) then checks the additions on the E73 and the entries on the E101 and places the orange E73 card **beneath** the split votes and on top of the Non-Split vote pile. Clerk (No. 1) then adds up the Electorate Candidate votes and split electorate votes and enters the totals at line 9. Use a tape adding machine for this and attach tape to Certificate E101.

The totals at line 9 and 10 are then added to give you the total number of voting papers counted at line 11. Copy this number to line 7. The numbers at line 6 and 7 should now be the same. If not refer to pages 70 and 71 of the Handbook. "A guide to polling day staff E3".

5.8.15 Counting of Party Votes

The split voting papers on top of the orange E73 cards are now removed and sorted into party order. Clerks 2, 3 and 4 should now initially sort them into five piles: one for each of the four larger polling parties and one pile for all remaining parties. Judgment is required on the total number of piles needed.

The piles for the four larger polling parties are then placed on top of their respective orange E73 cards.

Depending on the number of split party votes to be sorted the balance of the split party votes are then sorted by Clerk (No. 4) into a separate pile for each party and then placed **on top** of their respective orange E73 cards.

Clerk (No. 2) then takes the split party vote piles (one at a time) and checking that the votes are for the same party counts the number of voting papers in each pile and records the number of votes for each party in the Split Party Votes box before the "+" sign.

Clerk (No. 3) then checks the count and checks the entry additions on orange E73 card.

Clerk (No. 4) adds the numbers in the Split Party Votes box and enters the total. Then adds the numbers of Split and Non-Split Party Votes and record the total in the Party Vote Total box. Then copies the Party Vote Total from the orange E73 card onto the appropriate line in the totals column of the Party Votes page of the E101 certificate and records the Non-Split Party Votes total.

Clerk (No. 1) checks the additions on the E73 card and the entries on the E101

Clerk (No. 1) then adds up the Party Vote and Non-Split Party Votes columns on the E101 and enters the totals at line 9. Use a tape adding machine for adding both columns and attach tapes to Certificate E101.

The totals at line 9 and 10 are then added to give the total number of voting papers counted at line 11. The figures in the totals column from line 11 is then copied to line 7. Copy this number to line 7. The numbers at line 6 and 7 should now be the same. If not refer to pages 69 and 70 of the handbook - "A guide to polling day staff E3".

Once a balance has been achieved the voting papers are then placed, one pile at a time into the sorter box **in front** of their party divider.



Ensure that the orange E73 card is used to separate the split and Non-Split votes.

The sorter box, Certificate E101 and Envelope F should then be returned to the Controller for passing to the Returning Officer and Justice of the Peace for them to carry out their tasks and endorse the certificate

When all the ordinary booths and special votes have been counted voting papers for any issues can then be counted.

5.8.16 Completion of Certificate

When all the ballot and voting papers (if any) have been dealt with in the prescribed manner the Justice attending shall sign a certificate stating the total number of ballot and voting papers (if any) used at the election and/or poll, the number of votes received by each party and constituency candidate, the number of votes for any poll issue, and the number of informal votes. That certificate shall be preserved by the Returning Officer for production when required (s. 178(8)).

Where at any count of the ballot papers under this section the counting of the ballot papers extends beyond one day, the Justice attending shall give the certificate day by day showing the progress of that numbering and describing the parcels counted in their presence (s. 178 (9)).

An example of the required certificates is shown at sections 5.11.17 - 5.11.18

5.8.17 Rights of Scrutineers to Inspect Declarations

Scrutineers are allowed to inspect all special vote declarations. No objection should be raised where scrutineers wish to take written notes of their observations, or to obtain the Returning Officer's explanation of decisions in respect of particular declaration. See section 7.2 of Scrutineers' Handbook.

5.8.18 Recount

Where at the official count there is an equality of votes between constituency candidates and the addition of a vote would entitle one of those candidates to be declared elected, the Returning Officer shall forthwith apply to a District Court Judge for a recount under s. 180, and all the provisions of s. 180 shall apply except that no deposit shall be necessary (s. 179 (2)).

5.8.19 No progress results of the official count are to be released to the news media until the final result is known and declared.

5.8.20 Data Entry

Returning Officers will need to supply the Chief Electoral Office (on disk together with a hard copy) immediately they are able to issue a final declaration of the electorate result. The Chief Electoral Office will supply four spreadsheets on disk for each electorate pre-formatted with polling places to be completed to a standard format.

The Four Vote Groups are:

- (1) **Valid Party Votes**
By Polling Place by Party (alpha) plus Informal Votes
- (2) **Electorate Candidate Votes**
By Polling Place by Electorate Candidate (alpha) plus Informal Votes

Preferably at the same time to supply:

- (3) **Non-Split Party Votes**
by Polling Place by Party (alpha), and
- (4) **Split Electorate Candidate Votes**
by Polling Place by Electorate Candidate (alpha).

Multiple Booth Polling Places

The Chief Electoral Office will also supply on disk the four multiple capture sheets for the collation of individual booth results into the composite result of the polling place.

These spreadsheets should also be used to aggregate the units of 500 Special Voting papers. (Maori Returning Officers will also need to use these for Tangata Whenua votes data).



The spreadsheets provided by the Chief Electoral Office must not be tampered/adjusted with in any way. They have formulae which do a lot of the calculation work for you.

The flowchart is set out in 5.8.21.

5.8.6 Before counting the votes from any booth the Returning Officer or delegated officials(s) and Justice of the Peace must examine all votes that have been treated as informal in the booths from Envelopes "F" and decide whether or not these votes should be counted or should remain as informal.



If there is any dispute over the validity or otherwise of an informal vote the Returning Officer's decision will be final.

5.8.7 It is important that the persons operating the numbering machines should examine each electorate vote prior to numbering it as quite often a vote cast in favour of one electorate candidate is sorted and counted with those for another electorate candidate on election night in the polling booths.

5.8.8 The total of the electorate vote count including informals must equal the total of the party vote count because of the one piece ballot paper. It is difficult to go back and reconstruct the electorate vote count once these votes have been redistributed into piles for the party vote count. Therefore a check of the total electorate vote count of all candidates against the total of the certificate E101 to ensure it balances is imperative before commencing the next step.



The memorandum on the reverse of Envelope "F" should be completed . Sec. 178 (5)(C) and signed by the Returning Officer and Justice of the Peace.

5.8.9 The following is a suggested utilisation of resources. Plenty of space will be required for this exercise. See Section 5.8.24 for suggested set up.

Clerks:

- 1 Envelope Controller opening booth envelopes and repacking envelopes (No. 5).
- 2 Clerks sorting, numbering electorate candidates votes followed by party vote ballot papers (No. 2, 3 and 4).

Electorate votes will be counted first because this is the order that votes will be in on receipt from ordinary polling booths.

Supervisor (No. 1)

- Watch for incorrectly marked papers (informals)
- Votes counted for an electorate candidate are those for that electorate candidate not another.
- Machine malfunctions.
- Papers for another booth.
- Papers not numbered by the numbering machine.
- Numbering machine preparation.
- Vote Tally Card - E73 needs to remain on top of each pile of non-split votes at all times.
- Checking totals, completing endorsements on envelopes.
Certificate E101 and Vote Tally Card E73 (No. 4)

Jobs numbered 2 - 5 can be rotated to maintain flow, allow rest periods, especially from numbering, and provide variety. The Returning Officer or delegated Senior Electoral Official check all informals before counting commences set them out on the three cards provided informal electorate vote, informal party vote, informal both party and electorate votes. Check envelopes endorsements and complete statistics on E101, sign the envelopes when electorate and party votes have been counted.

5.8.10 **Numbering of Votes**

Section 115 - Read carefully.

- Ballot papers from each booth for each electorate candidate will be numbered consecutively commencing at number one (1).

- Care must be taken that no two ballot papers for an electorate candidate in any parcel shall bear the same number.
- one booth at a time per table.

Good practice to number papers for electorate candidates in same order as on ballot papers and results sheets.

Also will assist if numbering is done alongside the electorate candidate ticked on the ballot paper.

To speed up the process more than one numbering machine may be used.

As a guide - up to 50 papers	=	1 machine
over 50 to 250	=	2 machines
over 250	=	3 machines

Number the split electorate votes first (which should be on the top) followed by the non-split.

Number the informal electorate votes but maintain them in the specific informals pile.

When all electorate vote formal and informal votes have been counted record the details on the envelope, E101 and the split non-split votes on the E73 card.

The split electorates then need to be sorted into party vote order utilising the E73 cards.

Number the split party votes from 1 - ____ in party alphabetical order. When this is finished add the total number of non-split votes for that party

eg Carrot Party	
Split Votes numbered 1 - 5	= 5 votes
Non-split votes numbered say 10 - 60	= 51 votes
Total number of party votes	56

When all the formal and informal party votes have been counted record the details on the envelopes, E101 and the E73 cards.

5.8.11 **Official Count of Special Votes and Tangata Whenua Votes** The counting of special votes should not commence until the majority of declarations have been returned and checked. Any preliminary counting, before all special votes are available to be counted, may break the secrecy of the ballot. The Wairarapa Election Petition highlighted the problem that can arise if the correct declaration is not matched with the correct envelope before the official count commences. Sort all qualified special ballot and/or voting papers into party vote ballot paper order before commencing numbering then number as per section 5.8.5.

5.8.12 Count all disallowed declarations, Tangata Whenua Forms, Overseas and Defence Force Declarations.

Prepare Statistical Returns as far as possible for votes disallowed. This can be done before the commencement of the official count of the special votes.

5.8.13 Count and balance each type of disallowed special vote declaration separately as per example section 5.8.19

Declarations

Tangata Whenua Forms (Maori electorates only)

Overseas

Defence Force Personnel

-
- 5.8.14 In all cases two persons should open the envelopes where the special vote declaration has been allowed and two other persons should remove the votes. Take note of any envelope which does not contain the correct number of papers as this will upset the statistics return and special vote balance.
- 5.8.15 Sort ballot papers utilising the same system as for ordinary votes setting aside apparent informals into three piles.
- 5.8.16 Using two separate numbering machines number the Party Vote ballot papers starting from 1 and Electorate Vote ballot papers starting from 1 under the various categories in section 5.4.8 (b). Record the number of votes on a prepared master chart.
- 5.8.17 Valid votes from official count must balance with envelopes received and numbered. If it doesn't balance check all envelopes to ensure no papers have been missed. Statistical returns can then be completed.
- 5.8.18 When all the ordinary booths and special votes have been counted voting papers for any issues can then be counted.



Paragraphs 5.8.1 to 5.8.18 will need further review once E3 Handbook close of poll procedures are finalised.

5.8.25

Albany Electorate Special Votes Received & Counted**Example:***Declarations before Polling Day*

Start	0001		
Last number issued	0095	0095	
Less sent to other electorates		<u>3</u>	92

Declarations on Polling Day

Start	1001		
Last number issued	1673	673	
Less sent to other electorates		<u>6</u>	667

Declarations Overseas Special Voters

Start	5001		
Last number issued	5040		40

Declarations by Member of Defence Force

Start	6001		
Last number issued	6002		<u>2</u>

Total Number of Declarations			801
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Party Votes

Conservation	46
Freedom	159
Justice	130
Progress	129
Republican	30
Right of Centre	56
Informal	<u>16</u>
	566

Electorate Votes

Allen	25
Glover	41
Hyde	327
Smith	23
Tims	100
Wheeler	35

Informals	<u>15</u>
	566
Balancing of Declarations	
Disallowed (Declarations & envelopes stapled together)	235
Votes: Valid and informal	<u>566</u>
= Numbering machine tally from envelopes	801

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- 5.9 Declaration of Results Section 179
- 5.9.1 Immediately after completion of the official count Returning Officers should complete the details for the public declaration (see form E31-C). A copy of the E31-C should be faxed to the Chief Electoral Office after completion of the official count and the votes have been check added on a printout calculator.
- 5.9.2 When the Chief Electoral Officer has received from all Returning Officers the certificates required by s.179 (4) (E39 official count figures) the Chief Electoral Officer is required to determine which of the candidates whose names have been included in party lists submitted pursuant to s. 127 have been elected.
-  **With this new requirement the accuracy of returns is paramount as any discrepancy found by the Chief Electoral Office or Returning Officers subsequent to the public declaration or despatch of certificate E39 are likely to cause those Returning Officers considerable embarrassment and adverse media comment.**
- 5.9.3 National tables are prepared and released by the Chief Electoral Officer and should agree with those contained in the E9. If at a later date any figures are amended a fax must be forwarded immediately to the Chief Electoral Officer advising that the E31-C and the E39 certificate advice should be amended and the reasons for the amendment.
- 5.9.4 At the same time as these results are advised they may be made available to the news media.
- 5.9.5 A public declaration of the result of the poll(s) as required by s. 179 (1) of the Electoral Act is then to be made by advertisement in the same newspaper(s) used for other notices. Form E31-C is to be used for this purpose. Ensure that the party and constituency candidates' names are correct on the declaration by carefully checking against the nomination paper (E30-C).

5.9.6 Return of Writ Once the time for receipt of special and overseas votes has expired and the official count has been completed the Returning Officer is required (s. 185) to complete the reverse side of the writ by:

- (a) Inserting the name of the electoral district.
- (b) The full given name of the constituency candidate declared to be elected from the nomination form E30-C (not the common names known by).
- (c) Dating and signing the writ.

This is known as the "endorsement of the writ".

If it appears that an application for a recount of the votes may be made, postpone the return of the writ until the time for making the application (3 working days after the public declaration) has expired. If application is made, postpone the return of the writ until the recount has been completed (s. 185 (4)).

5.9.7 Immediately following the endorsement of the writ the Returning Officer must inform the Clerk of the Writs by sending a faxed advice in the following form:

<p>"URGENT CLERK OF THE WRITS INTERNAL WELLINGTON WRIT ENDORSED AND POSTED 10 AM ON 12 DECEMBER THOMAS JAMES STOBBS ELECTED SURNAME OF RETURNING OFFICER - ALBANY".</p>

Ensure that the constituency candidate's surname and given name is correct by checking it against the nomination paper (E30-C).

- 5.9.8 The fax number will be advised at a later date. The writ, duly endorsed, is to be sent by courier bag to:

<p>The Clerk of the Writs Constitutional Branch Department of Internal Affairs WELLINGTON. Physical address to be advised</p>

- 5.9.9 Every Returning Officer will receive from the Clerk of the Writs an acknowledgment of the receipt of the writ which will include the name of the person elected.

- 5.9.10 At section 5.11.19 are specimens of the "Writ for Election" with the Returning Officer's declaration on the back thereof.

- 5.9.11 In all elections the return of the writ is eagerly awaited. Until the writs are returned the inauguration of the new Parliament cannot commence. Delays can be caused by a large volume of special vote declarations requiring checking. Final results must be declared as soon as possible after the Tuesday ten days after polling day, and the writs must be returned as promptly as possible.

- 5.9.12 In accordance with the Act the date of endorsement of the writ is deemed to be the date of its return. Care is essential to ensure that the Returning Officer's advice is exact in every way so that the Clerk of the Writs can prepare the list and the roll of Members elected.

5.10 Legal Issues Questions and Answers - Special Voting

Returning Officers often have legal queries. The 'questions' and 'answers' below are based on queries that have been raised by Returning Officers at previous elections. Most of the queries

concern special voting, however, a number are related to advertising on polling day and other polling day issues.

Please Note - Returning Officers should take care in applying the 'answers' to actual fact situations as it is possible for a slight change in the fact situation to result in a different answer. If you have any doubts, you should discuss the problem with the Chief Electoral Office - someone there will be able to help you.

5.10.1 **Details of Elector and Electorate - Panel A**

Q: No electorate name and/or elector's address in Panel A. Voter on the roll for the electorate. Declaration witnessed by official. Should special vote declaration be allowed?

A: Allow the declaration under section 178(3). Failure to ensure address of elector included in Panel A is an error by the official.

If the declaration had not been witnessed by an official section 178(3) would not apply. However, declaration could still be allowed as absence of electorate name and/or address is not a ground for Returning Officer to disallow vote, as long as declaration is otherwise properly completed, signed and witnessed, and voter is qualified to vote in that electorate: see regulation 37(2)-(4).

Q: No address of elector in Panel A. Elector not on printed roll or on the list of late enrolments supplied to the Returning Officer. Declaration witnessed by official. Should special vote declaration be allowed?

A: First issue is whether, in the absence of an electorate address, the Returning Officer could determine whether voter qualified to vote pursuant to regulation 35(2), and if not, whether the Registrar of Electors could determine whether voter qualified to vote pursuant to regulation 36. If the voter is qualified to vote, absence of an address is not a ground for Returning Officer to disallow the vote, as long as declaration is otherwise completed properly: see regulation 37(2)-(4).

In addition, if the voter is qualified to vote, because the absence of an address is an error by an official section 178(3) will apply.

5.10.2 **Grounds for Special Vote - Panel B**

Q: Wrong ground given in Panel B - "Not on printed roll" instead of "Outside electorate". Should special vote declaration be allowed?

A: Technically, regulation 37(3) (which requires a special vote to be disallowed where no ground for the special vote is indicated, except in certain circumstances) does not apply because the special vote declaration does in fact contain a ground on which the special vote is claimed.

Although the ground stated for claiming the special vote is not correct in this case, the ground could be inferred from the declaration, e.g., because the polling place stamp was for a polling place outside the electorate: the voter is qualified under the Act to cast a special vote under section 61(1)(b) (person is absent from district on polling day).

Q: No grounds for special vote given in Panel B. Special vote declaration witnessed by issuing officer. Should special vote declaration be allowed?

A: If either regulation 37(3)(a) or (b) applies, the declaration must be allowed.

Regulation 37(3)(a) provides that where no ground for the special vote is indicated the Returning Officer is to allow the declaration where "the elector's name does not appear on the main roll or any supplementary roll for the district or has been wrongly deleted from any such roll".

Regulation 37(3)(b) provides that where no ground for the special vote is indicated a Returning Officer is to allow the declaration where: "the official mark of the Issuing Officer witnessing the declaration and the date shown on the

declaration indicate that the declaration was made on polling day outside the electoral district".

The declaration may also be able to be saved by section 178(3) as the failure to mark the ground for the special vote in Panel B is an omission of an official (the issuing officer) and following the Solicitor-General's opinion dated 15/11/93 on section 178(3) "if the relevant grounds for claiming the special vote can be ascertained from other parts of the declaration then the vote can be counted."

Q: No grounds for special vote given in Panel B. Voter makes special vote on polling day while outside electorate. Should special vote declaration be allowed?

A: Declaration should be allowed as regulation 37(3)(b) would appear to apply (the mark of the Issuing Officer and the date on the declaration indicate that the declaration was made on polling day outside the electoral district). The full requirements of regulation 37(3)(b) are set out in the query above.

In addition to the application of regulation 37(3)(b) the declaration may be saved by the application of section 178(3) if the absence of the ground in Panel B can be attributed to an error or omission by an official (see also the above query in relation to the application of section 178(3)).

Q: No grounds for special vote given in Panel B. Special vote witnessed by member of household. Should special vote declaration be allowed?

A: Declaration would be allowed if regulation 37(3)(a) applies (not on the main roll or supplementary roll for the district or wrongly deleted from roll). Otherwise, declaration invalid. Regulation 37(3)(b) could not apply as declaration not witnessed by Issuing Officer. Nor would section 178(3) apply as no official error or omission involved.

Q: No grounds for special vote given in Panel B. Special vote declaration witnessed by witness appointed by candidate under regulation 26. Should special vote declaration be allowed?

A: If regulation 37(3)(a) applies (noted above) the declaration must be allowed, otherwise, the declaration must be disallowed. Regulation 37(3)(b) could not apply as declaration not witnessed by Issuing Officer. Section 178(3) is not applicable because special vote declarations are returned in sealed envelopes. There is no opportunity for an official to check that it has been completed correctly.

5.10.3 **Witnessing of Special Vote - Panel F**

Q: Candidate appoints a person under age 16 as a witness for special votes. Is this lawful?

A: This is not prohibited as there is no requirement in regulation 26 for a person to be a certain age. On receipt of a nomination a Returning Officer shall either approve or reject the nomination. The Human Rights Act provides that it is unlawful to refuse to employ someone between the age of 16 and the qualification age for national superannuation simply on the grounds of their age. However, a nominee can be rejected as unsuitable for other reasons. If the person is under age 16, then the Returning Officer should consider whether he/she is sufficiently mature and responsible to perform the task of witness. The Returning Officer could reject them on the ground that they were too young to have the maturity to carry out the task of witnessing special vote declarations. Under regulation 26(5) the nominating candidate can request the reason for rejection.

Q: Political agent fails to mark qualification of witness on special vote declaration. Should special vote declaration be allowed?

A: If it is established that the witness claiming qualification is properly authorised then paragraph 5.5.3(c) and 5.5.6 of

Returning Officers manual applies and declaration should be allowed.

Q: Neighbour as a witness of a special vote declaration. Should special vote declaration be allowed?

A: Neighbour is not qualified to witness unless a registered New Zealand elector or qualified on one of the grounds under regulation 25(2) (is an issuing officer, is a person authorised to take a statutory declaration under the Oaths and Declarations Act 1957, is a person approved by a Returning Officer under regulation 26, is a relative, is a member of the household of the voter, or is an elector registered in any electoral district).

Also, if none of the above, the proviso to regulation 37(4) may apply, otherwise declaration is invalid. The proviso to regulation 37(4) provides that "where the declaration is signed by the declarant and either no person has signed the declaration form as a witness, or a person other than a person authorised by or under these regulations to witness the declaration has signed the declaration as a witness, the Returning Officer shall not disallow the vote if the Returning Officer is satisfied that the declarant signed the declaration in the presence of a person authorised by or under these regulations to witness the declaration."

Q: Poll Clerk acting as a witness of a special vote declaration. Should special vote declaration be allowed?

A: Poll Clerk is not in law an issuing officer and is not therefore authorised to witness declarations (unless acting as a Deputy Returning Officer under section 158(4)). However, poll clerk may be qualified under one of the other grounds in regulation 25(2) (see above query).

Also, the proviso to regulation 37(4) (also see above query) may apply.

In addition, as this situation is entirely the fault of an official apply section 178(3) and allow the declaration.

Q: Witness has ticked wrong box on declaration, i.e., "other person authorised to take a statutory declaration." Declaration witnessed by person approved by Returning Officer under regulation 26. Should special vote declaration be allowed?

A: Declaration should be allowed as requirements of regulation 25(2) relating to witnessing of declaration have been complied with. Declaration sighted by person making it and witnessed by person approved by the Returning Officer.

Q: Qualification of witness not ticked on declaration but was ticked on the accompanying pamphlet. Should special vote declaration be allowed?

A: Allow declaration. Able to tell that requirements of regulation 25(2) have in fact been fulfilled.

5.10.4 **Tangata Whenua Votes**

Q: **Tangata Whenua vote** declaration with Panel A not completed. Should **Tangata Whenua vote** declaration be allowed?

A: Vote should be allowed as voters page and line number indicates issuing officer located voter on electoral roll. Special votes issuing officer is required to complete voter's name and address in Panel A. Not completed, official error, section 178(3) applies.

Q: Declaration completed as a Tangata Whenua vote except that page and line number has not been written into panel E. (Because the vote has been completed as a Tangata Whenua vote, the declaration panel has not been signed.) Should **Tangata Whenua vote** declaration be allowed?

- A: If the voter is not on the main or supplementary roll for the relevant Maori electorate district the vote will be disallowed. Tangata Whenua votes can only be issued to voters on a main or supplementary Maori roll for the relevant electoral district.

The vote cannot be considered as a special vote because it is clear that where a special vote is not signed, the vote has no prospect of being allowed: as noted above, the effect of regulation 37(4) is that a failure to sign a special vote declaration is fatal to the validity of such a special vote. See also *Re Taupo Electoral Petition* [1982] NZLR 245 at 256 - that case considered whether a special vote declaration that was unsigned by the voter could be saved by section 178(3). The court took the view that the failure of the Issuing Officer to ensure the voter signed the declaration was not something that section 178(3) could remedy. It is likely that a court would take a similar view in the situation above.

5.10.5 **Wrong Form Issued/Used**

- Q: Hospital voter completed declaration by special voter on polling day rather than declaration by special voter applying before polling day. Should special vote declaration be allowed?
- A: Special vote declaration should be allowed. The grounds claimed for special vote are contained in the declaration, therefore, allow under regulation 37(2). The declaration is also saved by section 178(3) because there has been an error by an official.
- Q: Wife of serviceman using a defence force declaration form (Form 20). Wrong form issued due to error of overseas issuing officer. Should special vote "Declaration by Member of Defence Force Applying to Vote as a Special Voter" be allowed?
- A: Allow special vote declaration under section 178(3). Can assume applicable special vote ground.

- Q: Agent of special voter gives ordinary voting/ballot papers, special voting envelope, instructions to special voter, E79 envelope. However, no declaration was given to the voter. Should special vote declaration be allowed?
- A: Vote must be disallowed. Vote is treated as a special vote, however the effect of regulation 37(4) is that a failure to sign a special vote declaration is fatal to the validity of special vote. See also, *Re Taupo Electoral Petition* [1982] NZLR 245, 253.
- Q: Voter should have been given an ordinary vote for a Maori electoral district but has instead been given a special vote for the correct Maori electoral district. Should vote be allowed?
- A: Vote should not be rejected as informal because there has been an error by an official. If the voter was qualified to vote at the election for that district then section 178(3) and (5) apply and vote allowed.

5.10.6 **Voting Papers**

- Q: Voters casting a special vote were told to refer to the list of candidates and then write down the name of the candidate for whom they wished to vote, instead of being given a voting paper with the names and affiliations of all candidates. Should special vote be allowed?
- A: Special vote should be allowed. Section 178(3) applies. The vote should not be rejected as informal: see section 178(5). The listing of the one candidate is clearly the candidate for whom the person wished to vote.
- Q: Ticks and crosses. Should vote be allowed?
- A: Crosses are allowed instead of a tick as voter clearly indicated his or her intention.
- Q: **Only one candidate's name on ballot paper.** Should vote be allowed?

- A:** If the voter is qualified to vote in the electorate for which the special vote has been issued and has simply written one candidate's name on the ballot paper his/her vote should be allowed as a vote for that candidate.

5.10.7 **Registrar of Electors - Qualification of Electors**

- Q:** Can a Registrar of Electors qualify a voter where the address panel in the declaration has not been completed at all?
- A:** A Registrar of Electors is required under regulation 36(2) to check whether the person is qualified to vote under section 60. It may be possible to do this without an address.
- Q:** Can a Registrar of Electors reject a special vote because a rural or PO Box number is given on the declaration rather than a residential address?
- A:** No, it cannot be rejected solely for this reason. Regulation 36 directs a Registrar of Electors to determine whether a voter is qualified to vote under section 60. A Registrar would not be fulfilling the requirements of regulation 36(2) if he or she rejected the vote solely on the ground that a rural or PO box number was given in the declaration.

5.10.8 **Advertising on Polling Day**

- Q:** Political broadcast made during cinema advertising at 12:30 am on polling day. Is this lawful?
- A:** Picture theatre advertising should cease to be exhibited at midnight on the day before polling day: section 197(1)(c) and (g).
- Q:** Car bumper stickers in party colours with party name, slogan and logo. Is this lawful?
- A:** These are probably not a breach of section 197(1)(g)(iii) which makes it an offence for any person who “at an election . at any time on polling day before the close of the poll

exhibits in or in view of any public place, or publishes, or distributes, or broadcasts, . any party name, emblem, slogan, or logo”. A car bumper sticker once affixed to a car is fairly small and is often not obvious to passers by or persons in a car following such a car. The sticker is also likely to be permanent, at least until it wears off. Also, any “exhibition” appears to be ‘incidental’ because it depends on where the car is parked. Therefore, it seems unlikely that such a sticker is something a person “exhibits in or in view of any public place, or publishes, or distributes, or broadcasts”.

Nor would it appear that car bumper stickers would come within the words of section 197(1)(g)(iv) “any ribbons, streamers, rosettes, or items of a similar nature in party colours” for a similar reason as above. Car bumper stickers are of a more permanent nature and unlikely to be removed after the election, whereas, “ribbons, streamers, and rosettes” are probably used only during the lead up to polling day.

Although, if car bumper stickers are prohibited by section 197(1)(g)(iii) or (iv) they would not appear to be saved by the last proviso to section 197(1)(g) which states “provided further that this paragraph shall not apply to ribbons, streamers, rosettes, or items of a similar nature, which are worn or displayed by any person (not being an electoral official) on his or her person or on any vehicle in party colours or to a party lapel badge worn by any person (not being an electoral official)”. For the reasons above car bumper stickers are probably not ‘items of a similar nature’ to “ribbons, streamers, rosettes”. Also, rosettes with logos cannot be displayed on cars because they are clearly not party lapel badges when on cars.

Q: Exhibition of the sign "**Don't Vote National**" on polling day. Is this lawful?

A: Sign contravenes section 197(1)(g).

Q: A regular electorate office advertisement appears in local newspaper on polling day. Is a small notice, not in a prominent position. Is this lawful?

A: Such an advertisement is not likely to influence the vote of any elector and is not published for the purpose of the election campaign. While there may be a technical breach of section 197(1)(g) section 197(2) provides that it is a defence to a prosecution of an offence under section 197(1)(g) if the defendant proves that "the exhibition was inadvertent".

5.10.9 **Party Colours, Party Agents, Scrutineers and Supporters on Polling Day**

Q: NZ First teeshirt worn on polling day. Has on it the **NZ First name and logo emblem**. Is this lawful?

A: Not exempted under any of the provisos to section 197(1)(g). Therefore, the wearing of the teeshirt would be in breach of section 197(1)(g)(i).

Q: **"I like Mike"** stickers. Is this lawful?

A: Exhibition of stickers on polling day is prohibited by section 197(1)(g)(i).

Q: "How to Vote" stall outside polling place. Is this lawful?

A: Such a stall is lawful as long as no statement is made advising the voter who/what or who/what not to vote for or not to vote at all.

The "How to Vote" stall should only be operated if voters are to be shown "How to Vote" using blank voting papers or other material with no names on it. This is because the distribution of ballot papers having thereon the names of candidates or parties together with an indication of how the elector should vote is prohibited on polling day and on any of the 3 days preceding polling day (see section 197(1)(f)).

Q: Alliance supporters outside the polling booth greeting voters as they enter. Is this lawful?

A: Alliance will not offend against section 197(1)(a) provided the supporters go no further than making a simple greeting (such as “hello”) outside the polling place.

Any attempt to engage in conversation about matters political is likely to offend against sections 197(1)(a) or 197(1)(g)(i).

Q: Can rosettes with party emblems or names be worn on polling day?

A: Yes, the proviso to section 197(1)(g) allows this. A broad definition of "party lapel badge" in the proviso has been allowed. But in respect of party vehicles only those without names, emblems, slogans or logos can be attached to such vehicles.

Q: Can scrutineers be appointed by candidates to be present in special vote issuing offices prior to polling day?

A: The Electoral Act does not permit the appointment of scrutineers by a candidate in special vote issuing offices. Regulation 19(6) makes provision for attendance by representatives of the parties in the case of hospital votes but not in the case of other special votes. Issuing offices are not polling places.

5.10.10 **Official Information Act**

Q: Request made by MP for names of special voters whose special votes have been disallowed in the electorate in which he or she is a registered elector. Should MP be given list of names as requested?

A: The list of names should be released. This request is governed by the general provisions of the Official Information Act. The only possible reason for withholding the information would be to protect personal privacy. However,

this could not apply because all registered electors of the district have the right to inspect this information at the office of the Registrar of Electors: see section 187(3)-(5) of the Electoral Act 1993. Releasing the information is in accord with Principle 11(a) of the Privacy Act - this is one of the purposes for which the information has been obtained.

5.11 Disposal of Materials Used at Election

5.11.1 Section 187 of the Electoral Act sets out the materials to be sent to the Clerk of the House of Representatives by the Returning Officer.

(a) The Returning Officer shall enclose -

- "(i) In one or more separate packets all the parcels of used ballot papers including the special voters' ballot papers (Envelope F); and
- (ii) In one or more other separate packets all the counterfoils of ballot papers that have been issued and all unused ballot papers; Envelope E, Envelope L (including declarations); and
- (iii) In one or more other separate packets all parcels of spoilt ballot papers (Envelope C, Envelope K); and
- (iv) In one or more other separate packets all parcels of ballot papers set aside under section 171 or section 177 of this Act; and
- (v) In one or more other separate packets all parcels containing ballot paper accounts, copies of rolls (except the master roll), books, or other papers, as in this Act provided, and all letters and other papers received from any Deputy Returning Officer in respect of the votes of special voters:". Envelope A, Envelope B, Envelope D and Envelope H).

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- (b) He or she shall properly secure the said several packets, and endorse them with a description of the contents thereof respectively; and the name of the district and the date of the polling, and shall sign the endorsement; and shall forthwith forward the said packets to the Clerk of the House of Representatives:
 - (c) He or she shall also at the same time properly secure and transmit to the Clerk of the House of Representatives a parcel containing all ballot papers (ordinary and special) printed for the election and not used by the Returning Officer or distributed for use to his or her deputies.

5.11.2 In giving effect to s. 187 of the Electoral Act, Returning Officers are to ensure that ballot papers, and other material sent to the Clerk of the House of Representatives are securely parcelled, clearly labelled to show their contents, and addressed to the Clerk of the House of Representatives, using form E36. All Deputy Returning Officers reports on staff performance from the E98, E100-D, and E101 should be retained by Returning Officers together with the return of votes issued for each electorate E100 C for Returning Officers future reference.

Specific questions put in the reports for the Chief Electoral Office should be collated and forwarded as soon as practicable after the poll.



No material should be despatched to the Clerk of the House of Representatives until

- (a) after the last of the public declarations is made by a Returning Officer plus three days (section 181 (2)) as advised by the Chief Electoral Office.
- (b) election statistics have been cleared by the Chief Electoral Office by memorandum: and
- (c) the Ballot Paper and/or Voting Paper Accounts have been recorded in the Journal.

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- 5.11.3 Unused Declarations and Ballot and/or voting papers for Special Voters should be sent to the Clerk of the House of Representatives, along with the unused papers for Ordinary Voters.

The material sent to the Clerk of the House of Representatives is to be packed in cardboard ballot boxes and the lids taped shut and the cartons numbered 1 of 5, 2 of 5, etc.

A memorandum must be forwarded to the Clerk of the House of Representatives advising the electorate name, carton number and the contents of each carton. The Clerk of the House should be telephoned or be sent a faxed letter on the date of despatch of the material and likely arrival date together with a record of how many boxes there are. This should be followed up by a hard copy of the letter.

- 5.11.4 Material forwarded to the Clerk of the House of Representatives, Wellington **MUST** be packed securely. This is essential for maintaining the secrecy of the poll. Insecure cartons may be returned to the Returning Officer.

The addressed self adhesive label (E36) **MUST** be used, additional supplies of this label are available from the Chief Electoral Office if required.

The items will be sent freight forward by Courier Post. The pre-printed freight forward tickets **MUST** be used with:

- ◇ the sender's address completed
- ◇ the electorate number as a reference
- ◇ the weight of the parcel written on the label
- ◇ the signature required box ticked on the tracking ticket portion
- ◇ a signature required sticker (30 supplied) attached to the carton

All excess tickets and labels should be returned to the Chief Electoral Office.

- 5.11.5 The Clerk of the House of Representatives will give or send to the Returning Officer a receipt for all packets and parcels received.

5.11.6 If there is any possibility of a recount being applied for, Returning Officers should retain all ballot papers until the expiration of the three working days after the declaration of the result of the poll, within which time such application must be made.

5.11.7 Where court proceedings are pending for dual voting, personation etc., the relevant papers should be retained by the Returning Officer until the proceedings are finalised. The relevant papers should then be sent to the Clerk of the House with a memorandum

A constituency candidate at an election who applies for a recount of the votes, or a person who files an election petition may, by notice in writing to the Returning Officer, require the Returning Officer forthwith to annotate the list attached to the master roll pursuant to s.188 (1) of the Act. This shall not apply where the Returning Officer receives the notice after he or she has forwarded to the Clerk of the House of Representatives the packets required, by s.187 (1) (b) of the Act, to be forwarded to the Clerk of the House of Representatives.

The annotations shall show, in relation to each special voter whose vote is shown on the list as having been disallowed, the reason for the disallowance of the vote. s.188 (2).

The annotated list shall be sent by the Returning Officer to the Registrar of Electors for the district. s.188(4).

Any registered elector of the district may inspect the annotated list at the Registrar of Electors Office, without payment of fee, at any time when the office is open for the transaction of business. s. 188 (4).

5.11.8 **Equipment that is reusable** This should be stored within rural electorates for use at the next election and details of the location included in the Returning Officers Journal E32. The journal should also be noted if any additional equipment of this type will be required for the next election. Cardboard ballot boxes should be disposed of.

5.11.9 **Booth stamps, rubber stamps** These must be retained in a suitable secure place by the Returning Officer.

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- 5.11.10 **Electoral Forms** Partly used pads of forms and any forms marked in any way (i.e. booth stamps, electorate name, etc.) are to be destroyed. All electoral forms are examined after each election and are updated. The only reusable forms would be some close of poll envelopes and special vote envelopes still within their shrinkwrapping.
- 5.11.11 No material is to be returned to the GP Print Forms Store in Masterton.
- Any usable supplies should be distributed to Government Offices.
- 5.11.12 **Stationery** Stationery excluding rubber stamps, rulers and scissors should be distributed to schools and or government offices for their use.
- 5.11.13 No material is to be returned to the Chief Electoral Office except as advised.

6.1 Prior to Polling Day

6.1.1 Following appointment Returning Officers will receive the E193 Preliminary Supplies Form for completion and return. The accompanying supplies will include the Returning Officers Manual (E8) and Master Forms (E19) and will enable you to start contacting election day workers and polling place landlords.

6.1.2 **Form E192-Electorate Details Required by the Chief Electoral Officer.** An initial form was despatched to Returning Officers with Circular 2. A pad of 10 forms will accompany Circular 4. Boxes 1 and 2 will only be used to advise a change to these details. Box 3 may be ignored. Box 5 is to be used only to advise the date from which you will use this Box. Sets should be prepared in duplicate, Page 1 being forwarded to the Chief Electoral Officer (white copy), the yellow copy being retained for your records.

Further copies, with additions and amendments, have to be forwarded showing the current details as they become available or are established, by facsimile and within 24 hours of any changes.

The information is required for the addresses for parcels and freight for consignments of electoral supplies, the updating of form E151 (see sections 2.4.1 and 2.4.2) and advice to the public of headquarters and issuing office addresses.

6.1.3 **Proposed Newspapers for advertising "Where to Vote".** On appointment Returning Officers will be requested to review the newspapers utilised at the previous election and provide a return which confirms that the newspaper schedule will satisfy the requirements of the legislation for advertising polling places etc. s. 147 (3). This review will not be required when a nationwide household distribution by the Chief Electoral Office is done. S. 147 (4).

6.1.4 **Details of Poor Staff Performance E171** The Chief Electoral Office will provide details of poor polling day staff performance to Returning Officers based on the returns received from all Returning Officers at the previous election/poll. Returning Officers will review the list provided and confirm those polling day staff who should not be re-employed. Area Co-ordinators will be utilised to co-ordinate the receipt and re-despatch of the lists to Returning

Officers within the region to avoid poor performers being employed by other Returning Officers.

- 6.1.5 **Self Inking Stamps** Returning Officers will be requested to provide a return on their self inking stamp requirements including booth stamps and other administrative stamps by a date to be advised.
- 6.1.6 **Numbering Machines** Returning Officers will be requested to provide a return on their numbering machine requirements by a date to be advised. The number of machines required will be dictated by the number of booths or persons numbering at any one time.
- 6.1.7 **Polling Places and Polling Booths** When Returning Officers have finalised their list of polling places and polling booths a return as set out in sections 6.1.8 or 6.1.9 must be sent to the Chief Electoral Office. This return should be despatched by the required date. This will enable queries as to how many of each have been established, the number of staff employed on polling day etc. to be answered. This return will be done as part of the review of polling place staffing and booth number requirements including the provision of increased ordinary Maori voting facilities based on statistical material provided by the Chief Electoral Office.

The Chief Electoral Office will use the returns in sections 6.1.8 and 6.1.9 to estimate supplies for each electorate for the election.

6.1.8 General Returning Officers -

No. of General electorate polling places including Issuing Offices	_____
No. of shared polling place facilities with another general electorate	_____
Total polling places serviced	=====
No. of general electorate ordinary polling booths	_____
No. of general electorate special polling booths	_____
No. of general electorate combined polling booths	_____
x No. of Maori electorate polling booths	_____
Total booths serviced	=====

Returning Officer

Electoral District

- * Where only Maori ordinary voting papers and special voting papers will be available.
- x Where Maori ordinary voting papers will be available.

6.1.9 **Maori Returning Officers**

No. of polling places

No. of polling booths

Returning Officer

Electoral District

-
- 6.1.10 **List of Polling Places** Must be in the required format see sections 2.2.19-23.
- 6.1.11 **Budgets** Once Returning Officers have reviewed the polling places used previously and established the number of polling places required within their electorate and reviewed the staffing levels based on historical data from the previous election a budget estimate will be requested to be completed by a date to be advised. Once the budget has been confirmed by the Chief Electoral Office Returning Officers will be expected to meet the performance indicator of within zero to -5% against budget allocation unless unforeseen circumstances arise.
- 6.1.12 **Training Evaluations Deputy Returning Officers E172** Returning Officers will be required to forward the names and addresses of a number of experienced and new Deputy Returning Officers to assist with the review of training. The date and number of names required will be advised by circular.
- 6.1.13 **Cellular Phone Return** Returning Officers will be requested for a return of their cellular phone requirements over the peak election period so that a national contract can be obtained. The return will be requested by circular.
- 6.1.14 **Return of ethnic staffing requirement** Returning Officers will be requested to complete a return by a required date of the number of staff employed in polling places where ethnic groups need to be catered for.
- 6.1.15 **Receipt of Bulk Supplies** Returning Officers are to provide confirmation of receipt of bulk supplies.
- 6.2 Election Night Results
- 6.2.1 The number of progress results required to be sent to the Chief Electoral Office will be advised by the Chief Electoral Office in respect of the Parliamentary poll and any other voting issues. See section 4.7. Returning Officers will be requested to confirm the number of polling places including issuing offices, hospital booths etc. they will be reporting on ten days before the election and fax facilities on election night.

-
- 6.3 After the Official Count etc.
- 6.3.1 The statistical returns (E31-D, E31-E and E39 certificate or its equivalent) are used by the Chief Electoral Officer to determine which of the candidates included in party lists have been elected s. 191 and to compile the E9 and must be typed and sent to the Chief Electoral Office immediately after completion of the official count.
- Constituency candidates' names on all statistical returns must be in upper and lower case.
- Separate typed returns are required for the Party Vote and Electorate Vote Poll and any other voting issues.
- All the statistical returns must balance and should be forwarded together.
- 6.3.2 **Number of votes Recorded at Each Polling Place E39** The original of this return is to be forwarded to the Chief Electoral Office. A copy should be retained on the Returning Officer's own file.
- No abbreviations are to be used.
- The Chief Electoral Office will supply computer compiled lists of polling places as gazetted for the Parliamentary Election (E39).
- Nil returns for a candidate must be shown as O.
- 6.3.3 The E39 is a return of votes cast in polling places (not polling booths) so care must be taken to combine the votes from all booths situated in the one polling place.
- 6.3.4 The figures required are the official count figures (see sections 5.9.1 - 5.9.5) so ignore completely the election night figures.
- 6.3.5 In the case of the party vote the name of the party as shown on the ballot paper will have already been entered at the head of each sheet. Provision has also been made next to each party vote count to record the number of non split party and electorate votes for each party by polling place at the time of the official count only. This new requirement will be important for historical and research purposes. In the case of the electorate vote the surname of each

constituency candidate, followed by the initials and the party will already have been entered at the head of each sheet.

- 6.3.6 The totals for the party vote and constituency candidates must be the same as those contained in the public declaration (see section 5.9.1).



All pages must be check added after being typed (both across and down). The original E39 return forwarded to the Chief Electoral Office must have printout machine tapes of the official count and totals attached initialled by the Returning Officer. Before starting any column on the return the machine must be cleared.

- 6.3.7 Following the last polling place entry, show separately details of:

Hospital votes;
Ordinary votes in district before polling day;
Special votes; in district before polling day;
Special votes on polling day;
Overseas special votes including Defence Force personnel votes;
Totals;
Majority for elected constituency candidate (in respect to the constituency vote)

- 6.3.8 A Certificate in the following form must be entered on the last page of each return;

"I advise that the above return confirms the published declaration.

I certify that the above return, consisting of sheets, is a complete statement of the votes recorded at the Parliamentary/Electoral Referendum in the Electoral District held on the day of 19, and is true and correct in every particular".

Returning Officer

Electoral District

-
- 6.3.9 A clipping from the newspaper of the public declaration must be forwarded with the E39 to the Chief Electoral Officer.
- 6.3.10 The original "Return of Special Votes" Form E31-D is also required.
- 6.3.11 A "disallowed" vote is one which has not been included in the official count, but has been set aside because of some defect in its accompanying declaration or because of proven dual voting, personation, etc. See note 1 on form E31-D, M other reasons. The reason for each special vote being disallowed must be included.
- 6.3.12 An "informal" vote is one which has been cast but, due to some defect in the marking of the ballot paper, cannot be counted as a valid vote for a party or constituency candidate or a proposal. See notes on form E31-D.
- 6.3.13 **Election Statistics E31-E** The original return on form E31-E is to be typed and forwarded with the other returns. The section "Analysis of Votes for Parties" must be completed. The votes for each party constituency candidate and the majority should be identical to those recorded on form E39.
- 6.3.14 Close attention is required to the instructions printed on each form and to the need for all returns to balance. Those which do not balance will be returned to Returning Officers for amendment. Election statistics will be cleared by the Chief Electoral Office by fax or memorandum.
- 6.3.15 **Returning Officer's Journal** This master (form E32) is to be completed and the original typed or PC based hard copy forwarded to the Chief Electoral Officer immediately after the Bank Account has been closed and balanced. A photocopy is to be retained by the Returning Officer as a permanent electorate record. Handwritten copy does not photocopy satisfactorily. Some journals will be photocopied by the Chief Electoral Office for the next election following a change of boundaries.

It is suggested that the draft copy of the journal be prepared progressively in pencil which allows changes to be made easily, e.g. polling places, ballot papers and polling officials. If the journal is completed at a later stage some information may not be available. Suggestions for improvements E32-N should be noted immediately in the journal so that they are not overlooked.

If any section is unused a nil return is required on the first page of that section.

6.3.15 **Hours worked specifically by Returning Officer E32-A** The question of Returning Officers remuneration is the subject of a submission prior to each election. To obtain accurate factual information Returning Officers must keep a record of the hours worked, on the various aspects of their responsibilities. The period covered is from the date of appointment as a Returning Officer until the task is completed. This return may influence the fee paid to Returning Officers at the next election. It is suggested that photocopies be taken of form E32-A and that a photocopy is used each day to record the hours spent on the various tasks an alternative is to record the information in the Returning Officers Diary E11.

The Returning Officer should not forward sections of the Journal as they are completed but forward the whole Journal as a complete booklet to the Chief Electoral Office.

Travelling Expenses E32-B and Returning Officers Record of Mileage E32-B RO.

The Returning Officers Election Diary used in conjunction with these forms will provide an accurate record of travelling expenses and mileage.

Record of Special Voting Papers taken away from the Polling Place E32-D.

This column has been included in the Returning Officers Journal to establish the number of votes taken away from a polling place. This will enable better resourcing of forms such as the E7 and Voters Guide E14 at future elections/polls.

Costs Advertising & Publicity Cartage & Courses E32-E. This provides an historical record of costs for future budgeting purposes.

Recording Ballot Papers and Declarations E32-K. A column has been included to indicate shared facilities between electorates. To complete statistical records a copy of the relevant page of the E32-K showing the number of ordinary votes cast at the election outside your electorate should be sent to the Returning Officer of the electorate in which the polling place was situated so that a review of future shared facilities can be carried out before the next election/poll. Maori Returning Officers should also send a copy of

the relevant E32-K page(s) to each General Returning Officer so that a review of ordinary Maori polling facilities can be undertaken for future elections/polls.



**Issuing offices and Hospital votes
must be listed at the end of form E32-K.**

Form E32-N should identify the premises used as the electorate headquarters and if these were satisfactory.

Maori Returning Officers must list the booth numbers and the names and addresses of Deputy Returning Officers and poll clerks employed to issue Maori ordinary votes.

The journal must include a report on the conduct of the election and include:

- (a) any recommendations for improved forms or procedures including any suggested action to overcome items raised
- (b) staff not suitable for re-employment and reasons why
- (c) polling places and booths
 - Was number provided adequate?
 - Should more or any less Maori electorate booths have been provided as a result of Tangata Whenua Votes cast statistics?
 - Any problems with electors seeking to vote?
 - Any problem with the standard of facilities provided e.g. teamaking and toilet facilities?
 - Sizes of chairs and tables, state of building etc?
 - Unsuitable polling places or facilities
 - (If of a poor standard are there any other facilities which should be looked at for the next election)
- (d) any supplies grossly oversupplied
- (e) training of staff
- (f) suggested new polling places
- (g) any other matters which would be of assistance in organising the next election

These details will be a great asset in preparing for the next election.

The number of ballot papers and/or voting papers distributed and used at booths must be recorded on form E32-K.

The details recorded on form E32-K will be used to calculate estimates for the next election for electoral rolls, polling places and polling booths. Therefore it is vital that this record is correct and complete

Returning Officers must complete details of the electoral property on form E32-L.

Where necessary two lines may be used for one entry.

All pages must be numbered.

6.4 Other Returns

- 6.4.1 **Training sessions conducted by Returning Officers** Returning Officers should forward the E30-P to the Chief Electoral Officer giving details of the number of training sessions conducted. Payment of the fees for conducting training sessions is arranged by the Chief Electoral Office.

On no account should Returning Officer's fees for conducting training sessions be paid out of the Electorate Bank Account.

- 6.4.2 **Training Evaluation Returning Officers E169** Returning Officers will be requested to complete a return covering the training material utilised at training sessions. This return will be due once training sessions have been completed.

- 6.4.3 **Return of Election Expenses and Election Donations** Returning Officers must receive a Return of Election Expenses and Election Donations from every constituency candidate within 70 days, after the day on which the constituency candidate returned at any election is declared elected, on form E30-N. This is a master form which requires photocopying. One copy should be kept for the Returning Officer's records, one copy is for the Chief Electoral Officer, one copy is for the Electoral Commission and a copy should be retained by the constituency candidate. The date of receipt shall be recorded on all copies of the return before photocopying. As soon as

practicable after receiving a return a copy of the return must be sent to the Chief Electoral Officer and the Electoral Commission, P O Box 3050, Wellington. (s. 212 (1)). The Returning Officer shall keep each return in either the Returning Officer's office or some other convenient place appointed by the Minister for a period of one year after it has been received. The return shall be open to inspection by any person on payment of reasonable photocopying fees. At the expiration of the one year the Returning Officer shall cause the return to be destroyed.

The provisions governing the maximum amount of election expenses are:

- a limit of \$20,000, inclusive of GST; (s.213 (2)(a)) for constituency candidates
- the inclusion of the "reasonable market value" of materials supplied free of charge or below reasonable market value; (s. 213(1))
- the inclusion of a proportion of the expenses incurred in respect of campaigns for two or more candidates (except where a candidate's proportion is less than 10%; (s. 214))
- Section 213 provides that a person is guilty of a corrupt practice:
 - (a) a person is guilty of a corrupt practice if he or she overspends with the knowledge that it is in excess of the maximum amount;
 - (b) he or she is guilty of an illegal practice in all other cases, unless he or she took all reasonable steps to ensure that the amount was not exceeded.

6.4.4 **Certificate of Completion (E31-H)** This form should be forwarded to the Chief Electoral Office as soon as practicable once all the required returns etc are completed. Its receipt will enable arrangements to be made to pay the balance of the Returning Officer's fees.

6.4.5 **Master Roll** It is important that the Returning Officer's marked MASTER ROLL along with the supplementary roll used for the official scrutiny be handed to the Registrar of Electors of the

Electoral District together with a memorandum as soon as practicable after the declaration of the result. An acknowledgment should be obtained from the Registrar of Electors.

The Returning Officer must attach to the Master Roll a list of the names and addresses of all special voters whose names were not on the printed roll. The list must identify those votes which were disallowed (s. 187 (3)) see specimen form E31-F.

Care should be taken not to show the name of any person who voted whose name was on the unpublished roll which will be indicated by the stamp on the declaration completed by the Registrar of Electors.



A copy of this list must also be forwarded to the Chief Electoral Office.

The Master Roll will be held by the Registrar of Electors until the next general election. It will be kept in safe custody and may be inspected at any time on application by any registered elector of the electorate.

6.4.6

Tax Deducted Using IR.66N (a return of tax deducted) a cheque for the amount is to be made to the local Inland Revenue Department office by the 15th of each month, accounting for all tax deductions made in the previous month.



Failure to do this at recent elections by some Returning Officers has incurred additional penalty tax to the Ministry of Justice.

6.4.7

Closure of Electorate Employer IRD Account A copy of your letter to the Inland Revenue Department requesting that the Electorate Employer Account be closed has to be forwarded to the Chief Electoral Office with your financial returns.

7.1 Electorate Bank Account

7.1.1 The electorate bank account is a cheque account provided to meet the costs incurred by a Returning Officer in running an election.

7.1.2 The account will be opened and one cheque book and a deposit book will be forwarded by the Chief Electoral Office. The accountability for the correct management of the account must comply with the terms of the Returning Officer's financial delegation. Returning Officers should contact the Chief Electoral Office if they have any queries.

7.1.3 Cheques on the electorate bank account must now have two signatures. At all times the Returning Officer must be one of the cheque signatories. Returning Officers are requested, soon after appointment, to provide details of two other signatories for the account, either one of whom may sign cheques with the Returning Officer.

Cheques must not be pre-signed.

7.1.4 **Funding** - The account will be opened after receipt by the Chief Electoral Officer of the signed warrant of appointment and financial delegation on a date to be advised. Initial funding of \$20,000 will then be lodged in the electorate bank account. Further funding will be made at least a week prior to polling day.

If further funds are required over and above the negotiated amount, please notify the Chief Electoral Officer providing reasons for such.

Funding is entered only in the right hand column of the cashbook.

7.1.5 **Payments and Refunds** - All payments are to be made by cheque or direct credit and must be supported by an original invoice, a certified wage sheet, copies of direct credit schedules or an appropriate form, e.g., travel expense claim. Great care must be taken when writing cheques to ensure they are made out to the correct account name for the payee. With the recent change to banking laws banks will not accept a cheque made out to an incorrect name. Forms to be used are the E165 series in the Master Folder (E19). If an account states the amount is inclusive of GST a calculation must be done to identify and code the GST amount.

For example, account for \$33.75 (GST inclusive)

Total Cost	=	\$33.75
Less GST	=	3.75
Net Cost	=	\$30.00

GST = \$33.75 divided by 9 = \$3.75

All paid invoices, wage sheets, travel expense claims, etc., should be marked "Paid Cheque number ..." or "Paid by Direct Credit Schedule dated...".

- 7.1.6 All payments must be entered on the cashbook sheets provided and supporting documents filed consecutively (by cheque number or Direct Credit Schedule date). Payments made by direct credit should be entered on the date the schedule is completed. The cashbook should be entered progressively as payments are made.

At the end of each calendar month the top copy of each cashbook page used for that month is to be forwarded by courier to the Chief Electoral Office. This monthly cashbook must have a completed bank reconciliation form attached (E165A). They should reach that office no later than the 2nd of the month following. The second copy of each cashbook page is to be retained by the Returning Officer.

- 7.1.7 Payments are to be entered into the cashbook by consecutive cheque number and the amount entered under the appropriate columns.

Date	Details	Cheque No. or date of Direct Credit Schedule	8	12	13	Decreasing Balance of Funds
			3221	8065	Total Expenditure	
2 Oct	NZ Herald	093	100.00	12.50	112.50	44,887.50

Refunds are to be entered into the cashbook against the codes they relate to. A cross reference could be shown in the detail column to the original expense.

7.1.8 Payments to Inland Revenue for PAYE should be included under the appropriate remuneration code. e.g. Tax for headquarters staff will be shown under code 2111. Tax for training fees will be shown under code 2211.

7.1.9 Where there is no specific code for the substantial items, the amount (exclusive of GST) should be entered under Petty Cash, Supplies and Services, code 3225, the GST component entered under code 8065, with a note or reference being entered in the details column.

7.1.10 **Petty Cash** - \$50 cash may be held for minor purchases. This is to be obtained by cashing a cheque and reimbursing as required. A petty cash record should be maintained using the E165D form. Receipts, which are required for all purchases, should be secured to an A4-size sheet of paper and attached to the E165D to support the cheque drawn. All petty cash withdrawals should be coded to Petty Cash, Supplies and Services, code 3225. There is no need to calculate GST on petty cash expenditure

Any cash balance remaining for Petty Cash at the completion of the election should be banked back into the electorate cheque account. A corresponding credit should be entered in the cashbook against Petty Cash, Supplies and Services, code 3225. Do not calculate a GST content for this credit.

7.1.11 **Travel Expenses - Returning Officers**

All claims for Returning Officer's travel expenses (mileage, meals, etc) are to be at the rates shown below as prescribed in the Justice Department Agreement. Completed travel claim forms must be referred to your Area Co-ordinator for approval before a compensating cheque is generated. A statement of total travel should be entered on the form provided in the E32.

Annual Kilometres Run		Up to 1000 cc cents per km	1001 - 1350 cc cents per km	1351 - 2000 cc cents per km	Over 2000 cc cents per km
1	- 1600	52	58	70	80
1601	- 3200	44	49	58	66

3201	- 4800	40	44	52	60
4801	- 6400	38	41	49	56
6401	- 8000	35	38	44	50
8001	- 9600	32	35	40	46
9601	- 11200	31	33	38	43
11201	- 12800	30	32	36	41
12801	on	29	30	35	40

When more than two passengers are carried the above rates are increased by one cent per kilometre.

Please note that mileage fees received are non-taxable up to and including 62c per kilometre for the first 3000 kilometres. Tax adjustments will be made by the Chief Electoral Office for any portion of mileage fees paid in excess of the rates prescribed by the Inland Revenue Department regulations. The adjustment will be shown against the final payment of Returning Officers' fees.

Extract from Justice Collective Agreement.

Meal Allowance (9.5)
*Including Lunch,
Midday and
Evening Meal*

Overtime (9.5.1) Unless otherwise provided, an employee who has been directed to work not less than 2 hours overtime after a break of at least half an hour and who has had to buy a meal which would not otherwise have been bought, shall be paid a meal allowance at a rate of \$13.05.

Lunch (9.5.2) Where an employee is absent from usual work place and circumstances make it unreasonable to return there and it is impractical to have lunch on the premises where the employee is working, a lunch allowance shall be paid at the rate of \$3.45.

Midday Meal (9.5.3) Where an employee is required to have a meal with a business associate or a client of the department, the Chief Executive may approve the payment of a midday meal allowance at the rate of \$13.05 or the reimbursement of the cost of the meal, whichever is the lower.

Evening Meal (9.5.4) Where the return of an employee to headquarters is unduly delayed because of official duties, the Chief Executive may approve the payment of an evening meal allowance at the rate of \$13.05 or the reimbursement of the cost of the meal, whichever is the lower.

(Meal allowance rates will be reviewed by 31 October 1994. This review will take inflation into account).

7.1.11

Travelling
Allowance

(9.7) An employee required to travel on official business shall be entitled to obtain an advance for expenditure, on request prior to undertaking the travel.

(9.7.1) An employee required to travel within New Zealand on official business shall be paid:

(a) Reimbursement of actual and reasonable accommodation costs.

(b) Up to the following rates for meals:

(i) \$60.60 for each 24 hour period; and

(ii) \$30.30 for any **additional** period up to 12 hours or \$60.60 for any **additional** period over 12 hours.

(c) An incidentals allowance of \$7.65 per day or part of a day for incidental expenses not otherwise recoverable. The incidentals allowance is payable for each full period of 24 hours and any additional period. The period for payment is calculated from the time of departure from headquarters to the time of return to headquarters.

(9.7.2) Where the rates specified in subclause 9.7.1(b) above are insufficient over the whole of a particular period of absence from headquarters to meet meal expenses an employee may instead be reimbursed actual and reasonable charges incurred for meals.

(9.7.3) Employees who stay privately shall be paid instead of 9.7.1(a) and (b) above, up to the following rates for meals and accommodation:

- (a) \$65.80 for each 24 hour period; and
- (b) \$30.30 for any **additional** period of less than 24 hours.

Where employees visit a departmental facility, an armed forces or departmental camp, station or establishment and all or some meals are provided, employees must claim an actual and reasonable refund of their meal expenses for the period of the visits. Receipt must be produced for amounts in excess of the minimum prescribed.

(9.7.4) When an employee leaves and returns to their headquarters on the same day the Chief Executive may approve payment of actual and reasonable expenses above the normal day-to-day work related expenses. Travelling allowance and incidentals allowance are not payable.

(9.7.5) The Chief Executive may approve the reimbursement of expenses without a receipt provided that he/she is satisfied that the expenditure was necessary, reasonable and actually incurred.

End of Extract

7.1.11 Travel Expenses - Returning Officers Staff - Headquarters and Issuing Offices staff and Training Assistants who require to be reimbursed for mileage are to be reimbursed at the following non-taxable rates, effective from 1 April 1996:

Motor Vehicles Annual Work Related Kilometres
62 cents per kilometre (up to 3000 kilometres)

Should any staff mileage exceed this distance contact the Chief Electoral Office for advice.

Travel Expenses - Deputy Returning Officers - For attendance at training sessions.

Travel cost reimbursement is \$5.60 per attendance or as authorised at the rate of 56 cents per kilometre. This rate is non-taxable.



Ideally polling day staff should be recruited from within the electorate. Therefore the above reimbursement should apply

only in electorates where travel to training sessions is significant.

7.1.12 **Miscellaneous Payments** - Each individual miscellaneous payment must be supported by either the claimant's invoice or signature. Payments due to organisations, e.g., churches, schools, are to be issued in the name of the managing authority, not to an individual and will usually include GST. Every endeavour should be made to pay polling place rentals by direct credit.

7.1.13 **NZ Post Payments** - All postage payments are to be made by cheque. A receipt is to be requested if purchasing stamps and attached to a list detailing denomination and volumes of stamps purchased.

Records should be kept of articles despatched/received.

7.1.14 **Payment of Staff** - All staff are to be paid by direct credit through your bank account.

(a) **Headquarters Staff**

For Inland Revenue purposes use form IR12. Wages of clerical staff employed prior to and after polling day are to be paid by direct credit. Completed certified time sheets (E165E) must be attached as supporting documents for your records.

(b) **Polling Place Staff**

For Inland Revenue purposes use form IR12. Payment is for the day regardless of the number or type of votes issued.

- (c) **Forms E156A-F Payment Vouchers** will be supplied by the Chief Electoral Officer. Complete the appropriate form ensuring the direct credit schedule date is entered. Delete any lines not used on an E156 page. Each page should be totalled and the total paid out entered into the cashbook showing the date of the direct credit schedule used for this bulk payment.

These forms have been approved by the Inland Revenue Department for attachment to the IR66ES. Each form is made up of 4 sheets.

- 1 Copy for IRD (IR66ES)
- 2 Payment Voucher (E156)
- 3 Returning Officer's Journal, RO's copy (E32)
- 4 Returning Officer's Journal, CEO copy (E32)

- (d) The Returning Officer's fees for conducting training sessions must not be paid out of the electorate cheque account, see section 6.4.1.

- (e) Overtime - Only staff employed full time on electoral work are to be paid overtime. Overtime is payable after 8 hours worked in any one day.

Where staff are engaged in other employment during the day then any work done in the evening for the Returning Officer is regarded as secondary employment and paid as such.

This applies also to headquarters staff on Polling Day.

7.1.15 **Inland Revenue Requirements**

- (a) Accounting for Tax - Returning Officers must account for all tax deducted to Inland Revenue.

Following appointment you will receive an IRD pack advising you of the Electorate IRD account number and supplies of forms, current tax tables and information guides.

You will also be advised of assistance available to you. If you require this it should be arranged early in your programme. A national officer has been appointed and you should contact this officer if any irregularities arise with your account. Day to day enquires or assistance should be sought from your local office as advised.

After staff have been paid the tax deducted for staff should be totalled and a cheque for this amount written out in favour of Inland Revenue Department each month.

At the cessation of employment your final cheque, IR66N and copies of IR12's should be sent to Inland Revenue accompanied by your completed IR68P and a letter requesting the account to be closed and advising the ACC levy is paid nationally by the Head Office of the Ministry of Justice.

(b) Tax Deductions

- All earnings are subject to tax unless a tax exemption certificate is provided.
- Election day staff are to complete an IR12 ensuring their IRD number is entered. Tax is at the rate of 20.7 cents in the \$ unless no IRD number is provided, in which case tax is at the "No Declaration rate".
- Other staff are to complete an IR12 ensuring their IRD number and Tax Code are entered. Tax is at the rates as prescribed by the tax tables unless the IRD number or Tax Code is not provided, in which case tax is at the "No Declaration rate".
- All IR12's should be completed as to earnings, tax deducted, Earner Premium, Student Loan Repayment Deductions and Child Support Deductions (if applicable) and signed. The original is sent to Inland Revenue as per 7.1.15(a) and the duplicate forwarded to the employee.



You are not expected to deal with Student Loan Repayment or Child Support Deductions for Polling Day staff.

- Start and Finish Schedules are required to be completed and returned to IRD each month. For polling day staff and those earning training fees you must use the E156 forms and attach them to your IR66ES. Headquarters, issuing office staff and others should be entered directly onto the IR66ES.
- Returning Officers will not pay Fringe Benefit Tax. All FBT returns will show "Nil".

7.1.16 **Replacement Cheques** - A replacement cheque is only to be issued after confirming the original cheque has not been presented and a stop payment request has been lodged with the bank. All stop payments should be made directly through your local branch.

7.1.17 **Bank Statements** - Statements will be mailed to Returning Officers on a fortnightly basis. Following polling day bank statements will be forwarded weekly until further notice. Your financial records should include bank statements when sent to the Chief Electoral Office at the completion of the election activity. Bank statements received after the bank account has been balanced and the records forwarded to the Chief Electoral Office should be forwarded to the Chief Electoral Office.

On collection of a statement a reconciliation should be completed as follows:

Presented cheques and direct credit schedules should be ticked off in the cashbook when shown in the bank statement.

A form E165A should then be completed. Monthly bank reconciliations must accompany the monthly cashbook sent to the Chief Electoral Office.

7.1.18 **Unpresented Cheques** - Contact should be made with recipients of cheques not presented after a reasonable period requesting that the cheque be presented as soon as possible.

7.1.19 **Completion of Financial Recording** - Once all payments have been made, all cheques presented and a final reconciliation completed, the cashbook, cheque and deposit books and all

supporting documentation should be sent to the Chief Electoral Officer. The bank accounts and documentation will not be accepted unless they are compiled correctly i.e. correct vouchers and codes have been used in all instances and where appropriate, vouchers are supported by proof of payment. A summary cashbook page must be included with your final documentation. Any unacceptable accounts will be returned to the Returning Officer for correction. The accounts may also be subject to further examination by departmental and Audit Office Inspectors.

If there has been a problem in arranging for presentation of cheques then the above procedure should be followed with a letter to the Chief Electoral Officer advising steps taken to try and obtain presentation of the cheque(s).

- 7.1.20 **Late Claims and Refunds** - If you have forwarded your completed cashbook, cheque books and supporting documentation to the Chief Electoral Officer and receive a further invoice for payment then the invoice should be certified "correct for payment" and forwarded to the Chief Electoral Office to arrange payment. Should a refund be received it should be coded and forwarded to the Chief Electoral Office for deposit.

This late activity should only occur in exceptional circumstances. Returning Officers are responsible for ensuring all known financial activity is concluded before final returns are sent to the Chief Electoral Office.

- 7.1.21 **Tax Invoices** - Any amount over \$50.00 requires a tax invoice which must include the following:

- (a) The words "Tax Invoice"
- (b) GST registration number
- (c) Name and address of supplier
- (d) Words to the effect that the amount claimed is either inclusive or exclusive of GST. If the latter, the GST component must be shown separately.

- 7.1.22 **Telephone/Cellphone and Fax Accounts** - When preparing the electorate budget you should budget for expenditure for these items.

This activity will no longer be undertaken on your behalf by the Chief Electoral Office.

7.2 Forms for Operation of Account

7.2.1 **Cashbook E150** - The correct completion of this cashbook is essential for audit purposes. Headings of columns should be self explanatory, however, if you have any problems please contact the Chief Electoral Office. Cashbook sheets forwarded monthly to the Chief Electoral Office should only show totals for the month's expenditure. The only column that should show a running balance should be the right hand column entitled "Decreasing Balance of Funds".

A separate cashbook sheet should be used to show the collation of monthly totals. This will be your summary cashbook page.

7.2.2 **E165A** - Returning Officer's Bank Account Reconciliation.

7.2.3 **E165B - Summary of Expenditure** - This form will show the total of all expenditure summarised from the monthly cashbook sheets.

7.2.4 **E165D** - Petty Cash Account.

7.2.5 **E165E - Timesheet for Headquarters staff.** Attach to copy of direct credit schedule.

7.2.6 **E165F - Travel Expense Claim** - To support payment for travel or mileage claims.

7.2.7 **E165G - Electoral Staff Remuneration** - A scale of fees and hourly rates for all electorate staff.

7.2.8 **E165H - Monthly Accruals Return** - This form must be completed each month, two working days before the month's end and forwarded by fax to the Chief Electoral Office. On this form you need to show GST exclusive figures for all goods and services received for which no payment has been made. If for instance, the election was to be held on Saturday 28th September, on Thursday 26th September when preparing your Monthly Accruals Return, in addition to any other unpaid goods or services you would need to include gross figure under Code 2211 for Polling Day Staff and a GST exclusive amount under Code 3112 for Polling Day Rentals. If

an item or a service already received was unpaid for two or more months it would have to be accrued for each subsequent month that it went unpaid.

7.2.9 **Forms E156A-F** - Will be supplied by Chief Electoral Officer as pre-printed forms. See section 7.1.14.

7.2.10 **Tax Forms - IR12's** - Must be completed with original to IRD and duplicate to employee.

7.2.11 All E165 series forms are in the Master folder - E19 and should be copied as required.

7.2.12 **List of codes and explanation of such.**

Columns in the cashbook are divided up to be used as follows (working from left hand side).

Date, Details and item code number, Cheque Presented.

Column 1	2111	Returning Officer's Staff. (Includes PAYE)
Column 2	2211	Polling Day Staff and Staff Training Fees (Includes PAYE)
Column 3	3111	Rental, Hire, Leasing - Includes RO's HQ's
Column 4	3112	Rental - Polling Places
Column 5	3160	Electricity
Column 6	3211	Telephone and Fax
Column 7	3212	Postage, Couriers
Column 8	3221	Advertising

Column 9	3223	Stationery
Column 10	3225	Petty Cash, Supplies and Services
Column 11	3410	Travel
Column 12	8065	GST Expenses
Column 13		Total Expenditure
Column 14		Decreasing Balance of Funds

7.2.13 The retention of duplicates of accounts in your own records will assist with the budgeting exercise for the next election. They will also aid in answering queries after the originals have been forwarded to the Chief Electoral Officer and assist in verifying late claims and identifying late refunds (see section 7.1.20).

7.2.14 **Planning for Financial Management** It is strongly recommended that Returning Officers set up a planning schedule identifying timebound requirements. These should include:

- ◇ Preparation of Direct Credit Schedules for Polling Day Staff and Headquarters Staff.
- ◇ Preparation of Direct Credit Schedules for Polling Place rentals.
- ◇ Preparation of Monthly Accrual Returns.
- ◇ Despatch of Monthly Accrual Returns to Chief Electoral Office.
- ◇ Despatch of Monthly Cashbooks to Chief Electoral Office.
- ◇ Lodgement of Direct Credit Schedules at Bank.

7.3 Office Staff

7.3.1 All temporary staff employed by the Returning Officer before and after the poll are to be paid from the Returning Officer's bank account. Persons under the age of 15 years must not be employed.

7.3.2 A record of personal details for each staff member should be completed and retained by Returning Officers in their files, as should a declaration completed on Form E20-H.

All employees are required to complete a declaration form before commencing duty.

7.3.3 Temporary staff members are required to submit a PAYE deduction certificate (IR.12), and this will be retained by the Returning Officer until the work is completed.

7.3.4 Staff must complete weekly or fortnightly timesheets (E165E). Staff must be paid either weekly or fortnightly with the pay period ending on a Wednesday. Payments should be made on a Thursday. A sheet showing calculations of individual gross pays, less PAYE equalling Nett Pay to be paid should be attached to the copy of the Direct Credit Schedule.

7.3.5 Payment rates are to be determined by the Returning Officer using the scales and guidelines set out by the Chief Electoral Officer in form E165G. Make sure the correct tax tables are used in accordance with the PAYE deduction certificate supplied.

7.3.6 **Justices of the Peace** - Timesheets (E165E) should be completed by J.P.'s and attached to the relevant Direct Credit Schedule.

Please note that Justices of the Peace **MUST NOT** be paid Holiday Pay. This is because the rates negotiated for J.P.'s include holiday pay.

7.3.7 **Holiday Pay** - Payment of holiday pay for temporary workers should be made by paying 6 percent of gross earnings for the period worked at the cessation of employment. (This includes overtime).

7.3.8 In today's world there is an increasing requirement for accountability. Non-compliance is no longer acceptable. Queries on

procedures should be referred to the Chief Electoral Office. Enquires will be dealt with promptly.

7.4 Trust Account

A deposit book for the Electoral Trust Account will be issued to each Returning Officer. It will be used solely to deposit candidates' nomination fees. **CHEQUES FOR NOMINATION FEES MUST NOT BE DEPOSITED IN THE ELECTORATE BANK ACCOUNT.** Following the deposit of all fees it is to be returned to the Chief Electoral Office (refer section 2.10.14).

Form No.	Title	Week used*	Use	After Polling Day use
8.1	Electoral Forms			
8.1.1	Instructions, Information, Pamphlets and Manuals			
NB Any E550 or E600 numbered forms are forms produced specifically for a stand alone Citizens Initiated Referenda Poll				
Form No.	Title	Week used*	Use	After Polling Day use
E1	Overseas at an Election or Overseas at a Referendum stand alone referendum	1 - 7	Information for New Zealand electors overseas or about to go overseas. Includes application form(s) for Overseas Special Voting Papers.	No further use. Agency details require regular updating.
E2	Party Vote and Electorate Vote Special Ballot Papers for all Districts	4 - 7 approx	Pads of special ballot papers covering all electoral districts and ten blank ballot papers	No further use
E2A	Party Vote and Electorate Vote Special Ballot Papers for relevant Maori Electoral District(s)	4 - 7 approx	Pads of special ballot papers (10) for Maori electorate for whichever general electorate is aligned to that Maori electorate. Used at all special polling booths to issue special and Tangata Whenua votes for Maori electorates as required.	No further use.
E2B	Party Vote and Electorate Vote Special Ballot Papers	4 - 7 approx	Pads of special ballot (50) papers for your electorate, neighbouring electorate(s) relevant Maori electorate(s).	No further use.

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Indicates forms used for Referendum Polls

O Master form in Master form folder E19

Form No.	Title	Week used*	Use	After Polling Day use
E3 E503	Handbook A guide to polling day staff	3 - 7	Instructions for polling day staff in New Zealand. Sent out with appointments.	Remove comments from back of handbooks returned by polling day staff and then destroy all handbooks including surplus.
E3A	By-Election Handbook	3 - 7	Instructions for by-election day staff in New Zealand. Sent out with appointments.	Remove comments from back of handbooks returned by polling day staff and then destroy all handbooks including surplus
E5	Information for Parliamentary Candidates	1 - 7	Information for prospective constituency candidates, party list candidates and party organisations.	No further use. Updated with law changes between elections.
E6 E506	Handbook for Scrutineers	4 - 10	Information for scrutineers on polling day and pre and post polling day and party officials, setting out their role.	No further use.
E7	Instructions for Special Voting	4 - 7	Information and instructions sent with special voting papers to those completing a vote other than at a polling booth. Includes education information on MMP.	No further use.
E8	Returning Officers Manual	Minimum 1 - 13	Information and instruction manual to assist Returning Officers carry out their duties.	CEO will advise post election/poll whether Manual to be held/returned to CEO.
E9	Parliamentary Paper. The General Election Statistics	Sent out with appt. supplies	Enrolment and Voting Statistics from the previous General Election. Sent to Returning Officers to help establish polling place booth requirements.	Retain until subsequent E9 distributed..

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O Master form in Master form folder E19

Form No.	Title	Week used*	Use	After Polling Day use
E10	Folder - Training of Electoral Staff	2 - 7	Returning Officers training material folder.	Retain.
E10A	R/Os Training of Staff Guide Contents	2 - 7	Returning Officers training guide material for Deputy Returning Officers' training sessions.	No further use. Material updated before each election.
E10B	Contents Training of Staff - Posters	3 - 7	Training Poster utilised at Deputy Returning Officers training sessions.	No further use. Material updated before each election..
E10C	DRO's Training Contents for E75 Folder	3 - 7	Training material for distribution at Deputy Returning Officers' training sessions.	No further use. Material updated before each election.
E11	Returning Officers Election Diary	Minimum 1 - 10	For Returning Officers to record relevant information for their electorate.	Returning Officers retain for future reference at subsequent elections/polls.
E12	Instructions for Overseas Special Voting	4 - 7	Information and instructions sent with overseas special voting papers to those completing a vote other than at an issuing office. Includes education information on MMP.	No further use.
E14 A,B,C A - Upper Nth Is. B - Lower Nth Is. C - South Island	Voters Guide Household booklet	6 - 7	Voting Information. How to use Party Lists and Polling Places and electorate maps, When, Where and How to Vote, Facts about MMP, Candidates and Returning Officers details. Distributed 1 week before election to assist electors with the election process. Also 10 per polling booth.	No further use.

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O Master form in Master form folder E19

Form No.	Title	Week used*	Use	After Polling Day use
E15	Party Lists	4 - 7	Party Lists faxed/couriered overseas and within NZ post nomination day to allow early voting to commence.	No further use after Voters Guide supplies received.
E16	Media Information Handbook	4 - 7	Helpful historical information including statistics for media organisations and candidate and party details. Distributed post nomination date to media and Returning Officers.	No further use.
E17A	Workbook	3 - 7	Workbook exercises for completion by Deputy Returning Officers before attending training session.	Given back to Deputy Returning Officers at training sessions.
E17B	Workbook Answers	3 - 7	Used by Returning Officers to gauge ability and knowledge of Deputy Returning Officers.	Given to Deputy Returning Officers at training sessions.
E18	Handbook - A guide to Issuing Ordinary Local Restoration Poll Voting Papers	3 - 7	Instruction booklet for polling booth staff in no-licence district areas to issue ordinary LRP votes	No further use.
E19	Folder of dated Master forms for General Election and Polls	Minimum 1 - 13	Contains Master forms for photocopying by Returning Officers	Retained. Revised master forms sent out as required.
E20	Premises and Staff Forms	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Forms returned from polling place authorities and staff kept for future reference.
O				
E20-A-1	Enquiry to use School Premises as a Polling Place	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
O				

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Indicates forms used for Referendum Polls

O Master form in Master form folder E19

Form No.	Title	Week used*	Use	After Polling Day use
E20-A-2 O	Enquiry to use premises other than a Public School as a Polling Place	1 - 3	staff. Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20-B-1 O	Facilities available at Polling Place (Public School)	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20-B-2 O	Facilities available at Polling Place (other than a Public School)	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20-B-3 O	Certificate of Bank Account for Polling Places	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20-C-1 O	Confirmation of use of Public School premises as a Polling Place	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20-C-2 O	Confirmation of use of premises other than a Public School as a Polling Place	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20-D-1	Offer of Employment	1 - 3	Master Forms used by Returning Officers	Master forms retained in E19 until

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O Master form in Master form folder E19

Form No.	Title	Week used*	Use	After Polling Day use
O	at the General Election and/or Poll		to obtain polling places, staff enquiry, and appointments, and declarations of staff.	revised/replaced. Used forms retained as part of administrative records.
E20-D-2 O	Certificate of Bank Account for Polling Day Staff	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20-E O	Reply to Offer of Employment at the General Election and/or Poll	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20F-SDR O	Appointment of Supervising Deputy Returning Officer	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20F-DIC O	Appointment of Deputy Returning Officer In Charge	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20F-DRO O	Appointment of Deputy Returning Officer	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20G-Pol O	Appointment of Poll Clerk	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.

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Form No.	Title	Week used*	Use	After Polling Day use
E20G-Ush O	Appointment of Usher	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20G-Int O	Appointment of Interpreter	1 - 3	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20-H-MMP O	Declarations by Polling Officer or Scrutineer	3 - 7	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Sent to Clerk of the House
E20-H (CIR) O	Declarations by Polling Officer or Scrutineer in relation to Indicative Referendum	3 - 7	Master Forms used by Returning Officers to obtain polling places, staff enquiry, and appointments, and declarations of staff.	Sent to Clerk of the House
E20-I O	Electoral Staff Assessment	1 - 2	Master form used by some Returning Officers to assess capability of potential new polling day staff.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20-J O	Electoral Staff Assessment Answers	1 - 2	Master form of answers to E20-I	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20-K	Employment of Close Relatives	1 - 2	Returning Officers advice to Chief Electoral Officer of his/her relatives to be employed within their electorate. CEO approves/declines and notifies Returning	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.

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Form No.	Title	Week used*	Use	After Polling Day use
E20-L	Headquarters staff. Application for employment at the general election and/or poll	1 - 2	Officer. Application form completed by headquarters staff applying for employment.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E20-M O	Facsimile Transmission from Returning Officer	Minimum 1 - 13	Completed by polling day staff before commencement of polling day activities	Masters retained in E19 until dated replacement provided by CEO.
E20-N O	Returning Officer Letterhead	Minimum 1 - 13	Completed by polling day staff before commencement of polling day activities	Masters retained in E19 until dated replacement provided by CEO.
E23	Authorisation to Witness Special Voting Declarations	4 - 7	Form of approval by Returning Officer for constituency candidate or party list candidates to witness special vote declarations	No further use. Becomes part of official records.
E26	Returning Officer - Appointment/Declaration and Financial Delegation	1 - unless already appointed	Legal authority for Returning Officer to act in position.	Completed Declaration and financial delegation sent to CEO on appointment. Appointment continues until revoked or until further appointment made.
E28	Schedule of Polling Arrangements	3 - 7	Form for Returning Officers to record details re polling places, booth numbers, rental and payee, key phone numbers, staff and equipment.	Retain for future reference at next election/poll.
E29	Black Vinyl A3 sized Folder for E28 if required.	Minimum 1 - 7 unless new folder required 3 - 7	Folder for E28 sheets	Retain for future use if in good condition.

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Indicates forms used for Referendum Polls

O Master form in Master form folder E19

Form No.	Title	Week used*	Use	After Polling Day use
E30 E530 O	Miscellaneous Master Forms required by Returning Officers Before Polling Day	3 - 7	Various master forms required by Returning Officers before polling day.	Master forms retained in E19 until reused/replaced. Copies of forms used retained as part of administrative records.
E30-A O	Notice of Nomination Day and Polling Day (s. 142)	3	Public notice calling for nominations of candidates	Master forms retained in E19 until reused/replaced. Copies of forms used retained as part of administrative records.
E30-B O	SPECIMEN Letter to Political Parties Giving Notice of Nomination Day	3	Letter to political parties with copy of E30-A and Returning Officers contact details.	Master forms retained in E19 until reused/replaced. Copies of forms used retained as part of administrative records.
E30-C O	Nomination Paper (s. 143)	3 - 4	Form completed by electorate candidates. Copy faxed to CEO on receipt.	Master forms retained in E19 until reused/replaced. Copies of forms used retained as part of administrative records.
E30-D O	Notice of Nominations Received (s. 147) Publication by Returning Officers only required when CEO does NOT advertise pursuant (s. 147(5))	4	Form for advertising nominations received if required to be used.	Master forms retained in E19 until reused/replaced. Copies of forms used retained as part of administrative records.
E30-E O	Receipt to printer for Ballot Papers (s. 196)	4 - 5	Receipt given to printer once ballot papers received and checked. Copy sent to CEO.	Master forms retained in E19 until reused/replaced. Copies of forms used retained as part of administrative records.

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O Master form in Master form folder E19

Form No.	Title	Week used*	Use	After Polling Day use
E30-F O	Notice of Polling Places Appointed (s. 147) Publication by Returning Officers only required when CEO does NOT advertise pursuant (s. 147(5))	6	Form for advertising polling places before polling day if required to be used.	Master forms retained in E19 until reused/replaced. Copies of forms used retained as part of administrative records.
E30-G O	Letter to Candidates enclosing forms E5, E6, E20-H and E 30-N	3 - 4	Letter containing information sent to candidates on receipt and acceptance of nomination	Master forms retained in E19 until reused/replaced. Copies of forms used retained as part of administrative records.
E30-H O	Declaration by Voter Before Polling Day (Reg. 21)	4 - 7	Declaration completed by voter in district before ordinary ballot paper issued	
E30-I O	Questions that may be put to Voter (s. 166)	7	Form completed when voter challenged by scrutineer. Photocopies included in booth supplies.	Master forms retained in E19 until reused/replaced Completed forms sent to Clerk of the House
E30-J O	By-election Special Voting Papers Certificate and Accounting Sheets (s. 174) only issued when by-election held	7	Certificate completed by special vote booth polling day staff at close of poll.	Completed forms sent to Clerk of the House.
E30-K O	Returning Officer's Receipt to Deputy Returning Officer after the Poll	7	Receipt from Returning Officer to Deputy Returning Officers on return of material after close of poll	Master form retained in E19 until revised/replaced.
E30-L O	Returning Officer's Receipt and Performance Checklist to Deputy Returning Officer after the Poll	7	Receipt from Returning Officer to Deputy Returning Officer on return of material after close of poll and performance checklist	Master forms retained in E19 until revised/replaced.

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Indicates forms used for Referendum Polls

O Master form in Master form folder E19

Form No.	Title	Week used*	Use	After Polling Day use
E30-M O	Declaration by Resident or Former Resident of Campbell Island or Raoul Island	4 - 7	Declaration utilised by residents or former residents of Campbell or Raoul Island.	Master form retained in E19 until revised/replaced.
E30-N O	Return of Election Expenses and Election Donations	3 - 20	Return of expenses completed by electorate candidates of donation and expenses.	Retained for 1 year following poll by Returning Officer.
E30-O O	Nominations Received	3 - 4	List of nominations received forwarded to Chief Electoral Office to allow refund of deposits where applicable.	Master form retained in E19 until revised/replaced.
E30-P O	Returning Officer's Training Sessions	7 - 10	Form for Returning Officers to list details of training sessions conducted. Sent to Chief Electoral Office for payment purposes.	Master form retained in E19 until revised/replaced.
E30-Q	Nomination of Scrutineers for the Purposes of Local Restoration Poll	7 - 10	Form for LRP Returning Officer to accept nominations of Scrutineers for LRP Poll.	Master forms retained in E19 until reused/replaced
E30-R	Returning Officers Selection for the Purposes of the Local Restoration Poll	7 - 10	LRP Returning Officers Selection of nominations for LRP Poll	Master forms retained in E19 until reused/replaced
E30-S	Appointment of Scrutineers for the Purposes of Local Restoration Poll	7 - 10	Names, addresses, occupations of polling booth scrutineers for LRP Poll	Master forms retained in E19 until reused/replaced
E31 E531 O	Miscellaneous Master Forms required by Returning Officers After Polling Day	7 - 10	Various master forms required by Returning Officer after polling day.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.

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Indicates forms used for Referendum Polls

O Master form in Master form folder E19

Form No.	Title	Week used*	Use	After Polling Day use
E31-A O	Memo to Registrar of Electors forwarding Special Vote Declarations	8 - 9	List of special vote declarations requiring Registrar of Electors' validation.	Master form retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E31-B O	Notice of Commencement of Scrutiny (s175) for a General Election	7	Letter sent to political parties setting out scrutiny timetable.	Master form retained in E19 until revised/replaced. Used forms retained as part of administrative records.
E31-C Dec O	Declaration of Result of Poll (s. 179)	9	Public notice of the result of the General Election and/or poll.	Master form retained in E19 until revised/replaced. Used forms retained as part of administrative records. Copy sent to Chief Electoral Office.
E31-D O	Return of Special Votes for General Electorates	9 - 10	Statistical data on special votes for E9.	Master form retained in E19 until revised/replaced. Used forms retained as part of administrative records
E31-D	Return of Tangata Whenua Votes for Maori Electorates	9 - 10	Statistical data on Tangata Whenua votes for E9	Master form retained in E19 until revised/replaced. Used forms retained as part of administrative records
E31-E P O	Election Statistics Party Vote	9 - 10	Returning Officers statistics - party vote	Master form retained in E19 until revised/replaced. Used forms retained as part of administrative records
E31-E E	Election Statistics Electorate Vote	9 - 10	Returning Officers statistics - electorate vote	

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Indicates forms used for Referendum Polls

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Form No.	Title	Week used*	Use	After Polling Day use
E31-F O	SPECIMEN List of Special Voters NOT on the printed or supplementary roll	9 - 10	List compiled from special vote declarations of voters not on the Main or Supplementary roll for the district.	Master form retained in E19 until revised/replaced. Used forms retained as part of administrative records. Sent to Registrar of Electors with master and supplementary roll. Copy sent to Chief Electoral Office.
E31-G O	Receipt by Registrar of Electors for Master and Supplementary Roll		Receipt of E31-F from Registrar of Electors.	Master form retained in E19 until revised/replaced. Used forms retained as part of administrative records
E31-H O	Returning Officer's Certificate of Completion		Certificate completed by Returning Officer confirming all required items for election completed.	Master form retained in E19 until revised/replaced. Used forms retained as part of administrative records
E32 O	Returning Officers' Journal	1 - 13	Journal which Returning Officers use to record statistical information re election staff, ballot and/or voting papers etc.	Retain photocopy for future reference at next election/poll with E11 in cover provided.
E34	Label Self Adhesive addressed Deputy Returning Officer	3 - 7	Used by Returning Officers (mainly rural) for distribution of polling day supplies to Deputy Returning Officers.	No further use.
E36	Label Self Adhesive addressed The Clerk of the House of Representatives	9 - 11	Used on boxes sent to the Clerk after the election and/or poll.	No further use.
E38	Labels - Reference Roll	6 - 7	Placed on reference rolls by Returning Officers Headquarters staff before supplies distribution.	No further use.

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Indicates forms used for Referendum Polls

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Form No.	Title	Week used*	Use	After Polling Day use
E39	Number of Votes Recorded at each Polling Place	7 - 9	Sheets provided by Chief Electoral Office showing gazetted polling places for Returning Officers to record official count details.	Sent to Chief Electoral Office when official count completed. Photocopy retained by RO.
E43	Labels for Ballot Boxes 1 - 99	4 - 7	Identifies ballot boxes and booth supplies.	No further use.
E44	Labels for Ballot Boxes 100 - 199 if required	4 - 7	Identifies ballot boxes and booth supplies.	No further use.
E45	Labels for Ballot Boxes 200 - 299 if required	4 - 7	Identifies ballot boxes and booth supplies.	No further use.
E46 E546	Polling Supplies for Deputy Returning Officers	4 - 7	Consignment form setting out polling booth supplies for relevant general electorate booth.	Unused forms - No further use. Completed forms part of Returning Officers administrative records.
E48 E548	General Election Polling Supplies for DRO's Issuing Maori Ord. Votes X Maori RO	4 - 7	Consignment form setting out polling booth supplies for relevant Maori electorate booth.	Unused forms - No further use. Completed forms part of Returning Officers administrative records.
E50 O	General Election - Example Ballot and/or Voting Paper	3 - 7	Used for training purposes.	Master forms retained in E19 until revised/replaced.
E51 O	By-Election - Example Ballot Paper	3 - 7	Used at by-election for training purposes.	Master forms retained in E19 until revised/replaced.
E52 O	By-Election HQ Results Sheet Ordinary Papers	7	Used by Returning Officer to record booth results at by election.	Used by Returning Officer to check against certificate when supplies returned

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Indicates forms used for Referendum Polls

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Form No.	Title	Week used*	Use	After Polling Day use
E53	Election Planner	3 - 10 approx	Daily planners for Returning Officers use.	No further use unless Returning Officers want to retain them.
E54	Summary of Expenditure	1 - 13 or from date of 1st funding	Forms for Returning Officers to summarise their expenditure.	Return to Chief Electoral Office following completion of work.
O				
E55 E555	HQ Results Sheet - Ordinary Ballot and/or Voting Papers	7	Used by Returning Officers to record polling place results on election night.	Used by Returning Officers to check against certificates E101 when supplies returned.
E56	Identification Clothing Label - DRO	7	Clothing label to identify Deputy Returning Officers on polling day.	No further use.
E57	Identification Clothing Label - Poll Clerk	7	Clothing label to identify poll clerk on polling day.	No further use.
E58	Poster - English MMP Explained in Two Ticks	4 - 7	Electoral Commission's polling booth poster. Explanation of how MMP works used at issuing offices and in polling booths to assist electors to cast their party and electorate vote..	No further use.

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Form No.	Title	Week used*	Use	After Polling Day use
E58A	Booklet - other languages MMP Explained in Two Ticks	4 - 7	Electoral Commission's Explanation of how MMP works translated. Used at issuing offices and in polling booths to assist electors to cast their party and electorate vote. 2 Booklets at every polling booth.	No further use.
E59	Sign - Multi Language Voting for a Party and your electorate candidate	4 - 7	Multi-language poster used at issuing offices and in polling booths to assist electors to cast their party and electorate vote.	No further use.
E60	Sign - Special Voting	7	Sign to identify special booths on polling day.	No further use.
E60A	Sign - Special and Tangata Whenua Voting	7	Sign to identify special/Tangata Whenua booths in polling places with no ordinary Maori voting facilities on polling day.	No further use.
E61	Sign - Direction Arrow	7	Sign to assist to direct voter on polling day.	No further use.
E62	Sign - Polling Booth	7	Sign to identify polling place on polling day	No further use.
E63	Identification Tent Cards - Deputy Returning Officer	7	Sign on table to identify polling day officials.	No further use.
E64	Identification Tent Cards - Poll Clerk	7	Sign on table to identify polling day officials.	No further use.
E65	Identification Clothing Label - Scrutineers	7	Clothing label to identify scrutineers on polling day.	No further use.

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Indicates forms used for Referendum Polls

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Form No.	Title	Week used*	Use	After Polling Day use
E66	Identification Clothing Label - Usher	7	Clothing label to identify ushers on polling day.	No further use.
E67	Identification Clothing Label - Interpreter	7	Clothing label to identify interpreters on polling day.	No further use.
E68	Identification Clothing Label - Supervising Deputy Returning Officer	7	Clothing label to identify Supervising Deputy Returning Officer	No further use.
E69	Identification Returning Officer	1 - 7	Returning Officer's identification badge.	Retain.
E70	Electorate Ballot Box Labels	4 - 7	Sticky label with electorate name placed on ballot boxes at ordinary booths to identify electorate.	No further use.
E71	Plastic Polling Booth Sign	7	Plastic signs to identify polling places.	Retain if in good order.
E71A	Ties for E71	7	See above.	See above.
E72	Sign - Access for the Disabled	7	Signs to identify polling places with disabled access	No further use.
E73	Vote Tally Card	7	Card used at ordinary polling booths at the close of poll to assist sorting ballot papers.	Sent to Clerk of House
E75	Electoral Folder A4	4 - 7	Training folder for Deputy Returning Officers training materials.	No further use for used ones. Retain any spares.
E76	Cardboard Ballot Box 1 piece	4 - 7	Larger ballot box being trialed for this election.	Recycled through Serco.

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Form No.	Title	Week used*	Use	After Polling Day use
E78	Special Voting in NZ Information & Application Form	3 - 7	Information and application form for use by voters who can't apply for an early vote or attend personally at a polling booth.	No further use.
E79	Envelope to be opened by the Addressee only.	3 - 7	Used by Returning Officers for correspondence, issuing officers and polling day staff for voting material taken away from issuing office or polling place.	No further use. Surplus stock can be retained by Returning Officers for future use.
E80	Ballot Markers	4 - 7	Marker for ballot and/or voting papers.	Distribute to schools etc.
E81 E581	Declaration by Special Voter on Polling Day	7	Declarations for use on polling day only in New Zealand in conjunction with ballot and/or voting papers.	Send used and unused Declarations to Clerk of the House when official count completed and statistics cleared.
E82	Voting Envelopes for NZ Special Ballot and/or Voting Papers	4 - 7	Two part voting envelope used to place ballot and/or voting papers on completion by voters.	No further use unless still shrinkwrapped. Glue has limited shelf life.
E83 E583	Declaration by special Voters before Polling Day	4 - 7	Declarations for use before polling day in New Zealand in conjunction with ballot and/or voting papers.	Send used and unused declarations to Clerk of the House when official count completed and statistics cleared.
E84 E584	Declarations by Overseas Special Voters	4 - 7	Declarations mainly used by Overseas voting agencies after nomination day in conjunction with ballot and/or voting papers.	Send used and unused declarations to Clerk of the House when official count completed and statistics cleared.

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Form No.	Title	Week used*	Use	After Polling Day use
E85	Voting Envelope for Overseas or Defence Force Special Ballot and/or Voting Papers	4 - 7	Two part voting envelope used to place ballot and/or voting papers on completion by voter.	No further use unless still shrinkwrapped. Glue has limited shelf life.
E86 E586	Declarations by Member of Defence Force applying to vote as a special voter	4 - 7	Defence Force declarations distributed to overseas posts and where Defence Force personnel are located. Used in conjunction with ballot and/or voting papers.	Sent to Chief Electoral Office after election/poll.
E87	Rulers	4 - 7	Rulers are used to correctly rule off voters when ordinary votes are cast and checking the Index to Places and Streets entries.	Retained by Returning Officer for future General Elections/polls
E89	By-election certificate. Accounting and Results Sheet Ordinary Ballot Papers	7 - 9	Certificate and account of ordinary votes recorded at individual booths on polling day electorate votes or any issues at a poll.	Used at official count for recording official count figure details. Sent to Clerk of House following official count completed and statistics cleared
E90A	Cardboard Ballot Box - Box	4 - 7	Ballot Box for use on ordinary booths at issuing offices, hospitals and booths on polling day.	Recycled through SERCO.
E90B	Cardboard Ballot Box - Lid	4 - 7	Lid for E90A.	Recycled through SERCO.
E90C	Cardboard Ballot Box - Layer Pad		Insert for E90A.	Recycled through SERCO.
E93/1	Local Restoration Poll Voting Papers (Pad 5)	4 - 7	LRP Voting Papers used within no-licence districts and at all other voting facilities where elector eligible for LRP vote.	Send to Clerk of the House when official count completed and statistics cleared.

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Form No.	Title	Week used*	Use	After Polling Day use
E93/2	Local Restoration Poll Voting Papers (Pad 20)	4 - 7	LRP Voting Papers used within no-licence districts and at all other voting facilities where elector eligible for LRP vote.	Send to Clerk of the House when official count completed and statistics cleared.
E93/3 O	Local Restoration Poll Voting Papers (Specimen)	4 - 7	Specimen voting paper for training purposes.	No further use.
E94	Black Adhesive Stickers - Ballot and/or Voting Papers	4 - 7	Adhesive label for covering number printed on ballot and/or voting papers.	No further use. Give surplus to schools.
E95 O	Specimen Declaration by Special Voter before Polling Day	3 - 7	Training master specimen form for training issuing officers before polling day.	Returning Officers should retain until replacement form received from CEO.
E96 O	Specimen Declaration by Special Voter on Polling Day	3 - 7	Training master specimen form for training Deputy Returning Officers at training sessions.	Returning Officers should retain until replacement form received from CEO.
E98 E598	Gen. Election Polling Place Results Sheet Ordinary Ballot & Voting Papers	7	Result sheet utilised in multi ordinary booth polling places for cumulating polling place booth results before despatch to Returning Officers.	Returned to the Returning Officer with supplies for checking against individual booth results. Sent to Clerk of the House when official count completed and statistics cleared.
E100	Special and Tangata Whenua Vote Returns	7 - 9	Used at special booths to record list of special voters, certificate of number of votes issued at each special booth and return summarising votes issued for each electorate and report of Deputy Returning Officer's performance.	Used by Returning Officer to retain polling place statistical information after the poll and for E120, note comments re staff performance and then sent to Clerk of the House after Official Count completed and statistics cleared..

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Form No.	Title	Week used*	Use	After Polling Day use
E101 E601	Gen Election Cert. Acct & Results Sheet Ord. Ballot & Voting Papers	7 - 9	Certificate and account of ordinary votes recorded at individual booths on polling day for party and electorate votes or any issues at a poll.	Used at official count for recording official count figure details. Sent to Clerk of House following official count completed and statistics cleared.
E102	Polling Booth Notices of Appointment of Scrutineers, Declarations made on Polling Day, and Record of Security Seals	7 - 9	Envelope which contains scrutineers appointments for individual booths and details of security seals.	Sent to Clerk of House following official count.
E103	Envelope B - Marked Certified Roll	7 - 9	For marked roll on polling day election/poll.	Sent to Clerk of the House following official count.
E104	Envelope C -Spoilt Ordinary Ballot and/or Voting Papers	7 - 9	Contains any spoilt ballot/voting papers.	Sent to Clerk of the House following official count.
E105	Envelope D - Voters Answers on E30-L and Ordinary Votes in Envelopes E79	7 - 9	Contains any scrutineers challenges to votes.	Sent to Clerk of the House following official count.
E106	Envelope E-Unused Ordinary Ballot and/or Voting Papers including Partly used Books and Stubs of Issue	7 - 9	Contains unused ordinary ballot and/or voting papers.	Sent to Clerk of the House following official count.
E107	Envelope F- Used Part A Ballot Papers including any set aside in Envelopes C and D	7 - 9	Contains used party and electorate vote ballot papers.	Sent to Clerk of the House following official count.
E109	Envelope H- Certificate, Accounting and Result Sheet(s)	7 - 9	Contains Completed Certificates for polling booth	Sent to Clerk of the House following official count.
E110	Used CIR voting papers including any set aside in Envelopes C and D	7 - 9	Used CIR voting papers for any such poll held.	Sent to Clerk of the House following official count.

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Indicates forms used for Referendum Polls
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Form No.	Title	Week used*	Use	After Polling Day use
E112	Envelope K - Applications for Special Votes, Spoilt Special Ballot and/or Voting Papers	7 - 9	All applications for special votes and any spoilt ballot and/or voting papers.	Sent to Clerk of the House following official count.
E113	Envelope L- Unused Declarations and Special Ballot and/or Voting Papers including Partly Used Books and Stubs of Issued Declarations and Special Ballot and/or Voting papers.	7 - 9	Unused declarations and special ballot and/or voting papers.	Sent to Clerk of the House following official count.
E114	Envelope M- Special Votes for other than your own district	7 - 9	Contains special votes for other than your own electorate.	Destroy after official count completed.
E115	Envelope N- Special Votes for this district only	7 - 9	Contains special votes for your electorate.	Destroy after official count completed.
E116	Envelope O - Declaration by Ordinary Voter applying for Special LRP Voting Papers and envelopes. E92.	7 - 9	Contains declarations where application made for LRP vote.	Send to Clerk of the House when official count completed and statistics cleared.
E117	Envelope P - Informal Local Restoration Poll Voting Papers	7 - 9	Contains informal votes	Send to Clerk of the House when official count completed and statistics cleared.
E118	Envelope Q - Used Ordinary Local Restoration Poll Voting Papers and Envelopes O and P	7 - 9	Contains used LRP votes	Send to Clerk of the House when official count completed and statistics cleared.
E119	Unused Ordinary Local Restoration Poll Voting Papers including partly used books and stubs of Issued LRP Voting Papers	7 - 9	Contains unused ordinary LRP votes	Send to Clerk of the House when official count completed and statistics cleared.

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Form No.	Title	Week used*	Use	After Polling Day use
E120	Summary of Special and Tangata Whenua Votes Cast	7 - 9	Summary of special Votes cast for Returning Officers electorate and other electorates. Used as an audit trail of special votes post election.	Copy to CEO. E120 sent to all other Returning Officers. Retained for future planning.
E122	Two Person Cardboard Issuing Tables	1 or opening of RO's HQ	Freestanding cardboard tables used in limited quantities in each electorate	Returned to Serco for storage or recycling.
E124	Cardboard Screens Free Standing	7	Freestanding cardboard screens.	Returned to Serco for storage or recycling.
E126	Scrutineers Tray	7	Cardboard tray for scrutineers to reduce hireage of tables.	No further use. SERCO Recycle.
E127	Table Top Screens and Pads	4 - 7	Table top screens for elderly voters.	No further use. SERCO Recycle.
E128	Sorter Boxes	4 - 7	Sorter boxes to assist with sorting special votes and other materials	No further use. Recycle.
E129	Security Seals	4 - 7	Security seals to secure ordinary booth ballot boxes.	No further use. Destroy.
E130	Plastic Bag For Polling Booth Items	7 - 8	Plastic bag for returning miscellaneous polling booth items, eg scissors, rulers etc.	No further use.
E131	Plastic Polling Booth Signs	4 - 7	New freestanding plastic booth signs being trialed.	Retain for future use at Serco.
E132	Extract of Index to Places and Streets	3 - 7	Extract of Index to Places & Streets utilised for training purposes in conjunction with Workbook E17A.	Retain for use at next election/poll until boundaries change.

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Form No.	Title	Week used*	Use	After Polling Day use
E139	Special Vote Carton	4 - 7	Carton for special voting envelopes after early special or polling day votes cast.	No further use. Serco recycle.
E143	Consignment Note - Initial Supplies for RO's General Election.	3	Initial Supplies for Returning Officers.	Forms part of the Returning Officers administrative records.
E145 E545	Consignment Note - Bulk Supplies for RO's General Election.	3 - 4	Bulk supply consignment note items for Returning Officers sent out shortly before nomination day.	Forms part of the Returning Officers administrative records.
E150	Cashbook Electorate Finance Record	Minimum 1 - 12 or when financial transactions completed.	Summary sheet for coding individual electorate transactions	Sent to Chief Electoral Office after all financial transactions completed.
E151	Postal Addresses & Tel. Nos of RO's and Locations of Registrar of Elector's	Update sent out periodically from appointment of Returning Officers	Listing of Returning Officers with addresses, telephone and fax numbers and location of Registrar of Electors	Returning Officers keep Chief Electoral Office informed of changes at all times on E192.
E156 E556	Payment Vouchers - Polling Day Staff	4 - 7	Schedules with various pay levels for different polling day employees.	Returned to Chief Electoral Office after all financial transactions are completed with Returning Officers Journal.
E158	Consignment Note - Area Co-ordinator	1	Supplies for Area Co-ordinators	No further use
E163	Label Elec. Supplies. Forward urgently to the RO.....Electorate	3 - 7	Orange label used to consign supplies to DRO by Returning Officer..	No further use.

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Indicates forms used for Referendum Polls
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Form No.	Title	Week used*	Use	After Polling Day use
E164 O	Labels Chief Electoral Officer New Zealand	Minimum 1 - 12	Labels used by Returning Officers to send material to Chief Electoral Office.	Retain for future use.
E165	Imprest Forms Master	Minimum 1 - 12	List of imprest forms used by Returning Officers.	Master forms retained in E19 until revised/replaced. Used forms retained as part of administrative records.
165-A	Bank Account Reconciliation	Minimum 1 - 12	Monthly and final reconciliation	Monthly reconciliation to continue until financial activity concluded. Final reconciliation required to accompany concluded financial records to Chief Electoral Office.
E165-B	Summary of Expenditure	Minimum 1 - 12	Used at final reconciliation.	Return required to accompany concluded financial records to Chief Electoral Office.
E165-C	Summary of Deposits	Minimum 1 - 12	Used at final reconciliation.	Return required to accompany concluded financial records to Chief Electoral Office. Nil return is required.
E165-D	Petty Cash Account Electorate	Minimum 1 - 12	Used when seeking reimbursement or topping up of petty cash.	Record of Petty Cash transactions to continue until financial activity concluded.
E165-E	Time Sheet	Minimum 1 - 12	Used for HQ and Issuing Office staff.	Record of staff time worked to continue as long as staff employed.
E165-F	Travel and Allowances Claim Form	Minimum 1 - 12	Used as required.	Claims forms to be used as long as travel is being undertaken.

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Form No.	Title	Week used*	Use	After Polling Day use
E165-G	Electoral Staff Remuneration	Minimum 1 - 9	Remuneration levels for all staff employed at General Election/Poll.	Updated annually. 1 April. As long as staff employed. Should be retained with financial records.
E168	Progress Results Sheets	7	Progress Result Sheets for Returning Officers to provide cumulative polling place totals for Chief Electoral Office on election night.	Returning Officers check telephoned results against polling booth certificates post election day.
E169	Evaluation Booklet Returning Officer	4 - 8	Evaluation of Returning Officers training programme by Returning Officers	Sent to Chief Electoral Office on completion of training.
E171	Report on Special Votes Disallowed	7 - 9	Returning Officers report on special votes disallowed due to Deputy Returning Officers and other witnesses incorrect completion of declarations.	Sent to Chief Electoral Office after election as part of other statistical material.
E172	Training Evaluation Booklet - DRO	3 - 7	Evaluation of Returning Officers training completed by Deputy Returning Officers selected at random.	Sent to Chief Electoral Office by participants at completion of training and after polling day.
E189	Pal Statesman Portfolio	3 - 10	Portfolio for Returning Officers to keep electorate documentation.	Retain for future use.
E190	Satchel, Nylon with Logo	3 - 10	Satchel for Returning Officers to keep electorate documentation.	Retain for future use.
E192 O	Electorate details required by Chief Electoral Office	Minimum 1 - 12	Form for Returning Officers to keep Chief Electoral Office informed of current electorate details.	Ongoing as any details change within 24 hours of change.

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Form No.	Title	Week used*	Use	After Polling Day use
E193	Consignment Note and Receipt - Appointment Supplies	Minimum 1	Consignment note of appointment supplies to Returning Officers.	Retain after acknowledgement to CEO.
E510	Index to Places & Streets	4 - 7	Index to Places and Streets produced before each election/poll.	No further use. Give away to interested groups or destroy.
E4/2/1	Local Restoration Polls Act 1990	On appointment. Minimum 1 - 12		
E6/2/1	Electoral Act 1993	On appointment Minimum 1- 12	Electoral Act with legal provisions to run the General Election.	Retain for future use.
E6/2/21	Electoral Regulations	On appointment Minimum 1- 12	Electoral Regulations with legal provisions to run the General Election	Retain for future use.
E6/2/5	Citizen's Initiated Referenda Act	On appointment Minimum 1- 12	CIR Act with legal provisions to run a CIR poll.	Retain for future use.
E8/1/8	Metal Polling Booth Signs	4 - 7	Direction signs identifying polling facilities. Used outside issuing offices after nomination day and polling places on polling day.	Returned to storage - SERCO.
GP1271B	Pens Ballpoint Medium Red	4 - 7	Used by Poll Clerks to mark the roll on polling day.	No further use. Distribute to schools.
GP1273B	Pens Ballpoint Medium Black	4 - 7	Used by Issuing Officers and Deputy Returning Officers to issue votes.	No further use. Distribute to schools.

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Form No.	Title	Week used*	Use	After Polling Day use
GP260	Scissors	7	To cut security seals at close of poll and any other administrative requirement.	Returned to Returning Officer for further use.
GP650	Tape Cellulose 25mm Cone	7	Used by polling day staff to seal close of poll envelopes.	No further use. Distribute to schools.
GP659	Tape Highlander Packaging	7 - 9	Used by Returning Officers to seal cartons after official count.	No further use. Distribute to schools.
GP761	Envelope Banker Window	Minimum 1 - 10	Used by Returning Officers for correspondence, appointment letters.	Retain surplus for future use.
GP763	Envelope Pocket Manila	1 - 10	Used by Returning Officers for correspondence and documentation.	Retain surplus for future use.
GP771	Envelope Pocket Girder	3 - 7	Used for sending out handbooks, workbooks, extracts	Retain surplus for future use.
H11	Report of the Representation Commission	On appointment	Shows details re individual electorates.	Retain until next version received.
NZMS90	Maps	On appointment	Shows details re individual electorates.	Retain until next version received.
IR12	Tax Code Declaration	4 - 7	Tax details of polling day and headquarters staff	Original to employee. Copy to IRD for polling day staff and HQ 10 staff. ROs forward personal IR12s to CEO.

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9.1 Public Relations and Publicity

9.1.1 The Chief Electoral Office will provide media outlets with a media booklet covering key elements of the General Election, contact names and statistical data after nomination day (E16). A copy will be given to Returning Officers.

9.1.2 Public Relations Guidelines for Returning Officers If you are an experienced Returning Officer you will have been trade-trained in the business of public relations and publicity.

This section is really designed for Returning Officers who are inexperienced or who may not have looked previously at all their actions from an information or news point of view.

Your job as Returning Officer is to prepare for and conduct the general elections. Inherent in that is the need to inform the public at a local level of the arrangements you are making so that they know exactly how to exercise their vote. You want an election awareness in the air in your own electorate. Your audience is New Zealand electors.

Your methods of conveying information are:

1. To reach the "public in general" through the media-press, radio, and television by paid advertisement and unpaid backing news and information.
2. To supply information to individual voters-by means of the telephone, personal contact, and letter.
3. To give and receive information to and from a variety of "interest" groups-these vary from political parties to ethnic groups whom you may want to help your staff at polling places.

Your contact will be by letter, telephone call, and personal contact. This section will deal mainly with 1. and 2., and briefly with 3.

- 9.1.3 **Communication Problems you may meet** - Before you can begin the job of communicating you should have been thinking of the problems you are going to encounter.

Information should be tailored to meet the needs of those who do not read, those who do not read and/or speak English well, and those with infirmities due to age, and disabilities such as blindness and deafness. All those groups listed have exactly the same right to and need of your information as others. They need thinking about.

The other problem in regard to voting is actually getting to the polling place. You are charged not only with finding (some) polling places that are accessible to those with restricted mobility, but of making this information public.

- 9.1.4 Your Relations with the Media Elections and election results are news. It is in your interests and the interests of media people to work together. You will insert some specified paid advertising, but you also need to have this supplemented by unpaid items-local press features, radio news items, talkback, discussion and, maybe, some television coverage. Television cover is more likely to occur on the day with news and pictures, both selected by the TV newsgutters.

It is also in the reporter's interests to get information from you about the progress that you are making in your preparations.

- 9.1.5 **Getting to Know the News People** - You may already know your local editors and radio station managers. If so ring each of them and ask who is covering election news. Suggest that election news reporters have a talk with you.

If you have not already met the local editors, chief reporters, or station managers it is a good idea to call on them. Do not forget your community give-away papers.

These phone or personal calls should be made well before the elections take place. You have time to talk about your arrangements, find out what the media people will be interested in, and tell them the points (and approximately the dates) you would like them to

feature certain information. You will gradually develop a feeling for what is news, and a sense for what could be good visual material.

- 9.1.6 **Looking at the different sorts of news** - There is first the hard news. This has an immediacy about it. Reporters generally smell hard news a mile off and come to you.

Next there is soft news. This is less immediate but no less important. In media jargon it is sometimes called an "extension message". Soft news must usually be given to the reporters.

Taking some examples:

- A. "200 workers die in a factory fire" is hard news.
"An investigation of methods of cutting down fire hazards" is soft news.
- B. "Polling clerk accidentally drops lighted match into ballot box votes go up in flames" is hard news.
"Special efforts by Returning Officer to have polling places accessible to people with restricted mobility" is soft news.
- C. "Five candidates nominated in Lilliput Electorate" is hard news.
"Trend towards younger, less educated candidates" is soft news.

Newspapers carry both hard and soft news. So does radio, though it is more difficult to get soft news on to the news programme. It is better dealt with in interviews, talkbacks, or between item comments.

Television with its emphasis on the visual is looking for visually interesting items. It is likely that TV reporters will decide for themselves what these will be, possibly in consultation with the Chief Electoral Officer.

- 9.1.7 **Who is to Handle Publicity** National publicity will be handled by the Chief Electoral Officer through the selected advertising agency. This will consist (as it has with the roll revision) of:

Press advertisements on:

- (i) Special voting

- (ii) Polling Places, Candidates, details of Returning Officer
Newspaper advertisements may be replaced by a booklet delivered to every household
- (iii) Voter Information Service

Radio advertisements on the last few days before:

- (i) Polling day and on polling day
- (ii) Get out and vote

Television advertisements on:

- (i) Method of voting
- (ii) Get out and vote

A copy of the media schedule, what will come out, where, and how, will be sent to you as soon as it is finalised.

National publicity on polling places will be aimed at encouraging all electors nationwide to check their newspapers or the booklet on the Wednesday immediately before polling day for details of polling places, booths for the disabled etc. The Chief Electoral Officer will co-ordinate and publish actual details.

9.1.8 Local Publicity You as Returning Officer handle both the paid and unpaid publicity in your electorate.

An Area Co-ordinator will be appointed for each electorate. In general that co-ordinating officer will issue statements or arrangements to the metropolitan papers. However, the giveaways may be left to you. Co-ordinating officers should discuss publicity arrangements at their next meeting with Returning Officers.

9.1.9 What to do when the reporter approaches you for information:

1. Give the reporter the information as clearly and concisely as possible. Make sure your reporter knows exactly what is for publication and what is background.
2. If you cannot give the information, explain why you cannot.
3. If you do not know the information but know where or how it can be obtained refer the reporter to the correct source.

4. Try to avoid a "no comment" answer. If you are not sure of your facts or whether you can reveal them, tell the reporter you will check and ring back. Then do it. A "no comment" answer is seen, probably, unfairly, as sinister.
5. Should calamity strike do not pretend to the media that nothing has happened. Explain what you are going to do, (e.g., ring the Chief Electoral Office, or the Secretary for Justice). Keep your local media posted as far as you can.

On no account should you give an interpretation of any section of the Electoral Act.

You may have problem questions from reporters over case law, see section 1.2. If they are serious questions that need an answer refer the enquirer to:

Chief Electoral Officer (Wellington (04) 495-0030).

- 9.1.10 Meeting Deadlines Get to know the deadlines of your local media. For instance evening papers usually have a deadline between 11.00 a.m. and 1.00 p.m. while morning papers will vary between 9.00 p.m. and 11.00 p.m. Radio likes the information about an hour before a news broadcast (unless it is stunningly important). Television prefers items about three hours before the news.

Local deadlines may vary. Learn them. If possible let your election reporter know that something is coming. If the reporter is to compose it try and give the information in time to meet his or her deadline.

- 9.1.11 Do not play favourites You may have two rival dailies, each wants news first. Your action should depend on how urgently you want the information released. If urgent, approach the paper that is out first, or perhaps radio. If not, it might be diplomatic to take turns with each paper.

- 9.1.12 Should you ask to see a reporter's copy? - No. But there is no reason why you should not offer to check the facts for accuracy. If you do this remember you must return it in time to meet the deadlines. If you do not the reporter will go to press with the carbon copy. Reporters will often respond to this offer. They like to have their facts correct, but do not want their style modified.

- 9.1.13 What do you do if you have been misquoted? First, stop and think whether it's really important. It's very irritating to find you have been misquoted but get it in perspective. If you decide that the mistake is

really important, go to the reporter, and talk it over. Was it a misunderstanding? Perhaps what you said or the way you said it was not as clear as it could have been.

If you are convinced that the error needs to be corrected say so, and the reporter will probably agree. If it is not world shaking leave it. There is nothing like a correction to draw people's attention to the original error.

Summing up, you will probably be misquoted from time to time:

1. Assess it. Do you need to take it further?
2. If so, talk to the reporter who misquoted you and sort out why.
3. Only ask for a correction if it is necessary to prevent public confusion.
4. Next time weigh your words more carefully.
5. Only in a crisis should you go to the editor or station manager. Let the Chief Electoral Officer know if you think the error is serious, and may have repercussions.

9.1.14 **Occasions for Publicity** The Election Publicity chart at section 9.1.22 gives details of publicity, in particular over the 30 day period between the calling for nominations and the election itself. It shows the relationship between national and local paid advertising, and paid and unpaid publicity.

Assuming that you are on good terms with your local reporters, you will together sort out other occasions for publicity.

9.1.15 **Giving Information to Individual Voters**

Every query should be treated with respect. The enquirer has thought it important enough to take the trouble to ring, write, or call on you. The usual components of good public relations apply:

- Unfailing courtesy
- Prompt service
- Accurate information
- Showing a real wish to help

It is also advisable that you keep a written record for file purposes of any telephone call received. You may need an interpreter to help you with an inquiry. This is where prior contact you have made with the electorate's different ethnic groups will stand you in good stead.

You may have to check elsewhere to obtain the answer. Be sure to ring or write back when you have the information.

9.1.16 **Making Known Your Whereabouts** As soon as you finalise your issuing office (or offices) make this known to your reporters the address, phone number, how to get there (if it is obscure), and when it is open. This could be an occasion for you to be photographed in some activity there. It is very important that the public know where to reach you at the first approach if at all possible. Returning Officers will also be responsible for advertising issuing offices in local media by way of paid advertisements and press releases.

9.1.17 **Your Telephone at the Issuing Office** Make sure it is always attended while the office is open, or employ an answer service to take messages.

9.1.18 **Contact with the Interest Groups in your Electorate** You will not usually need to worry about the political parties. They'll contact you.

Identify the other interest groups that can help you pass information to electors.

Know your own electorate. Groups there may include organisations concerned with those with special problems, e.g., the blind, deaf, crippled, old people, or the organisations set up for different ethnic groups, e.g. Maori or Pacific Island Churches, or cultural organisations.

Other groups may help disseminate your information e.g., youth groups, or groups running magazines or newsheets.

Your local council office or citizens advice bureau will put you in touch with local organisations.

District Probation Officers have collected details of all service, cultural, church etc. organisations in their area in connection with the new community service sentences. Your local probation office

may be able to help you with contacts. The important thing is to make these contacts as soon as possible.

- 9.1.19 **Do you Need Further Support?** Please make known your needs in the publicity area.

Some hints on handling publicity will be included in the training sessions.

- 9.1.20 **Keeping a Record** It would be helpful in preparing publicity guidelines for future elections if you kept a scrapbook of news items, features, and photographs that appeared in your local press, prior to and during elections and a note on any unpaid radio publicity-news, items, interviews, talkback etc.

Any recommendations you may have on future public relations and publicity will be valuable.

- 9.1.21 **Election Night** See section 4.6.

- 10.1 Scrutineers Rights and Duties
 - 10.1.1 Section 160 of the Electoral Act provides that each constituency candidate may in writing appoint one or more scrutineers for each polling booth at any election.
 - 10.1.2 Every scrutineer before being allowed to act must make a declaration in Form E20-H (s. 160 (2)).
 - 10.1.3 Not more than one scrutineer for each constituency candidate shall be present in the polling booth at any one time (s. 160 (3)).
 - 10.1.4 Any scrutineer may at any time during the hours of polling leave and re-enter the polling booth for which they are appointed (s. 160 (4)).
 - 10.1.5 A scrutineer may communicate to any person information as to the names of persons who have voted (s. 160 (5)).
 - 10.1.6 Section 165 provides that no scrutineer or other official or unofficial person shall communicate to any voter in a polling booth either before or after the voter has cast their vote except Deputy Returning Officers or Poll Clerks (with an interpreter if necessary) may ask the questions they are authorised to put (see section 10.1.8) and give such general directions as may assist any voter to cast their vote. In particular the polling staff (not the scrutineers) may on request inform a voter orally of the names of all the constituency candidates in alphabetical order with their party designations and all the parties in alphabetical order who have submitted a party list and the names of the candidates on each list in the order of preference submitted by the party.
 - 10.1.7 Every person who offends against these provisions may be at once removed from the booth by order of the Deputy Returning Officer (s. 165 (2)).
 - 10.1.8 Under s. 166 (1) the Deputy Returning Officer may, and if so required by any scrutineer shall, before allowing any person to vote, put to him or her the following questions:
 - (a) Are you the person whose name appears as AB in the electoral roll now in force for the (name of district) electoral district?

- (b) Have you already voted at this election in this or any other electoral district?

10.1.9 In every case the Deputy Returning Officer shall require the questions to be answered in writing and signed by the person to whom they are put (s. 166 (2)). The form to be used is E30-I.

10.1.10 Every person who does not answer these questions or does not answer the first in affirmative (yes) and the second in the negative (no) shall be prohibited from voting then or afterwards at that election (s. 166 (3)).

10.1.11 Regulation 65 of the Electoral Regulations 1996 provides:

Scrutineers' lists of persons who have voted.

- (1) "During the hours of polling, any scrutineer in a polling booth may from time to time, from information supplied by the Poll Clerk or Deputy Returning Officer, prepare lists or marked copies of the roll to show the names and roll numbers of persons who have voted, and send any such list or copy out of the polling booth.
- (2) Any person may from time to time enter any polling place for the purpose of receiving and taking away any such list or copy. No such person shall:
 - (a) Communicate with any voter in the polling place; or
 - (b) Communicate with any scrutineer in the polling place except for the purpose of receiving and taking away any such list or copy.
- (3) Nothing in this regulation shall affect the duties or powers of the Deputy Returning Officer under s. 194 of the Act.

- 10.1.12 A scrutineer is entitled to inspect the empty ballot box before polling commences and again when it has been emptied after the close of the poll, and before the preliminary count. (s. 163 (1).
- 10.1.13 Section 174 of the Act provides that the preliminary count shall be conducted in the presence of such scrutineers as choose to be present.
- 10.1.14 No argument should be entered into between Deputy Returning Officers and scrutineers as to whether or not a vote should be treated as informal. If the Deputy Returning Officer is of the opinion that the intention of the voter is not clear they should treat it as informal and the Returning Officer will make a final decision at the time of the official count. However the Deputy Returning Officer should nevertheless if asked give a brief reason as to why a vote is being treated as an informal vote.
- 10.1.15 It is not an offence for any scrutineer to wear or display (whether on their person or on their vehicle) in the form of ribbons, streamers, or rosettes, their party's colours or to wear a party lapel badge. (See section 4.2.5).
- 10.1.16 **Scrutineers at Scrutiny & Official Count** see sections 5.6.2-5.6.4, 5.8.4 and 5.8.14.
- 10.2 Summary of Information to be Supplied to Chief Electoral Officer
- 10.2.1 Besides information requested from time to time in circulars the following is a summary of information required to be supplied to the Chief Electoral Officer. The figure given in each case refers to the relevant section of this manual.
- | | |
|--|--------|
| 1. Declaration by Returning Officer | 2.1.5 |
| 2. Tax Code Declaration | 2.1.7 |
| 3. Electorate Details (E192) | 6.1.2 |
| 4. Booth Stamps Required | 2.8.2 |
| 5. Rubber Stamps Required | 2.8.5 |
| 6. List of Polling Places | 6.1.10 |
| 7. Combined Polling Places | 2.2.14 |
| 8. Number of Polling Places and Polling Booths | 6.1.7 |
| 9. Location of Issuing Offices and Telephone Numbers | 2.4.3 |

10.	Returning Officer's Headquarters	2.4.3
11.	Preliminary Advice for Each Nomination	2.10.19
12.	Deposit Slips for Candidates and details about Refund of Deposit	2.10.14
13.	Final Advice of Candidates	2.10.21
14.	Withdrawal of Nominations	2.10.25-26
15.	Death of Candidates	2.10.30-33
16.	Election Night Results	4.4
17.	Declaration of Results and Recount	5.9.1-6
18.	Electoral Offences Dual Voting and Personation	5.6.20-22 & 5.6.7
19.	Statistical Returns	6.3.1-15
20.	Training Sessions Conducted	6.4.1
21.	Bank Account	7.1 to 7.2.12
22.	Closure of Electorate Employer IRD Account	6.4.7
23.	Certificate of Completion	6.4.4
24.	Journal	6.3.15

10.2.2 When supplying the information listed in section 10.2.1 please do a separate memorandum for each subject or, where applicable, use the form supplied.

10.3 Summary of Information to be Supplied by Chief Electoral Officer

10.3.1 >From the time of appointment until the completion of the election work Returning Officers will receive from the Chief Electoral Officer circulars pointing out various aspects of the work and the timetable set for completion of various phases leading up to the election itself and the final completion of the work.

10.3.2 Included in these circulars will be specific information on the following matters referred to in this manual.

1.	Postal Addresses and Telephone Numbers of Returning Officers and Locations of Registrars of Electors (E151)	6.1.2
2.	Computer list of Polling Places used at the previous election	6.3.2
3.	Date List of Polling Places required	2.2.22
4.	Gazetting of Polling Places	2.2.22
5.	Electoral Staff Remuneration (E165G)	2.6.1
6.	Rates for Temporary Staff	2.6.1
7.	Name of Selected Printers	2.9.5

8. Date Writ will be Issued	(Advance Notice)
9. Copy of the media schedule	9.1.7
10. Clearance of Election Statistics	6.3.14

10.4 By-elections

10.4.1 In the main the procedures set out in this manual for General elections apply equally to by-elections. However, there are some variations as outlined in the following paragraphs.

10.4.2 Sections 129 to 133 of the Electoral Act cover the procedures leading up to the issue of the writ.

10.4.3 There is no referendum poll held in conjunction with a by-election.

- 10.4.4 The availability of special votes outside the electorate is limited at a by-election.

Regulation 19 provides for the issue of special votes outside the electorate by any Registrar of Electors between nomination day and before polling day.

The supply of electoral material to Registrars of Electors will be arranged by the Chief Electoral Officer.

Special votes will be available on polling day only within the electorate concerned.

- 10.4.5 Heads of overseas posts will be appointed Overseas Returning Officers for the purpose of a by-election as they are for General elections.

- 10.4.6 Returning Officers at a by-election should take into account the absence of a party vote and referendum poll and the lesser demand for special votes (only available to voters of the electorate concerned) in fixing the number of polling booths in any particular polling place.

- 10.4.7 In addition to sending an advice to the Clerk of the Writs a by-election Returning Officer must inform the Speaker of the House of Representatives by sending an advice in the following form:

"URGENT
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
PARLIAMENT HOUSE
WELLINGTON
WRIT ENDORSED AND POSTED 10AM ON 12 DECEMBER
THOMAS JAMES SMITH ELECTED
SURNAME OF RETURNING OFFICER ALBANY"

Ensure that the candidate's names are correct by checking them against the nomination paper (E30-C).

10.5 Civil Defence

- 10.5.1 As part of the Chief Electoral Office Management Plan there is a requirement to develop a Civil Defence Plan and issue instructions to Returning Officers.

Enclosed therefore are some basic instructions for Returning Officers and their staff employed during the election period.

- 10.5.2 As a Returning Officer you have the responsibility for ensuring the basic safety of your staff and security of equipment pre and post election day.

There are several ways of ensuring the safety of you and your staff during the election period.

Staff you have employed as office supervisors, SDRO's, DRO's will be expected to maintain control of your headquarters and polling places during an emergency situation.

The person in charge should account for the staff of the headquarters, issuing office or polling place. They should direct evacuation where necessary. Returning Officers and their headquarters staff depending on the circumstances will be responsible for making decisions regarding the need to close a polling place(s) or adjourn the poll. See s. 195 of the Electoral Act.

- 10.5.3 As a basic requirement the person in charge of your headquarters, issuing office, polling place:

- Should have access to a battery powered radio (this is not an authorisation to go out and buy transistor radios). If a Civil Defence emergency is declared follow the Civil Defence instructions issued over the radio.
- Be aware of Civil Defence procedures as set out in the back of the telephone book.
- Make themselves aware of exit points and appropriate assembly areas relative to their polling place.
- Ascertain who on the staff has a basic knowledge of the principles and techniques of first aid.
- Basic knowledge of earthquake drill within a building, ie drop and cover at the first sign of an earthquake.
- Be prepared to decide on the need for evacuation and other critical issues involving staff and voters well being.

In terms of equipment the main area of concern is the control and security of ballot papers pursuant to s. 196 of the Electoral Act.

At all times when not in use ballot papers should be kept securely and preferably locked away. If ballot papers are within areas public have access to they must not be left unattended eg issuing offices, headquarters, hospitals etc.

Action Chart		Information to	2.10.23
For a General Election	2.14.8	List of Nominated	2.10.22
Adding Machines		Nomination of	2.10
Instructions	2.8.4	Return of Election Expenses	6.4.3.
Addresses		Withdrawal of	2.10.25-27
Election Day	6.1.2	Case Law	
For Special Votes	6.1.2	Directive	1.2
Issuing Office(s)	6.1.2	Certificate of Completion	
Returning Officers	6.1.2	Procedure	6.4.4
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Nominations Received	2.10.10-20	Chief Electoral Office	
Polling Places	2.2.24-27	Election Night	4.4
Shared Polling Places	2.2.19	Memoranda for	10.2.2
Maori Polling Places	2.2.10-16	Summary of Info to be supplied by	10.3
Maori Polling Places - Symbol	2.2.18	Summary of Info to be supplied to	10.2
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Interpreters	2.7.5-6	of Electors	5.6.7 & 5.6.18
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Ushers	2.7.7	Returning Officer	2.1.5-6
Ballot Boxes etc		Right of Scrutineers to Inspect	5.8.21
Delivery to Polling Places	2.8.12	Scrutineers	4.1.9
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Storage	2.8.6	Witnessing	3.6.14
Ballot Papers		Declaration Judgement	
Disposal of	5.11	Case Law	1.2.2
Padding of	2.9.9	Delegation of Functions	
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Receipts	2.11.3-5	Deposit by Candidates	
Security of	2.11	Amount and Procedure	2.10.12-15
Bank Account		Deputy Returning Officers	
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Partially Sighted Voters	9.1.3	Fees	2.6 & 7.1
Booth Stamps		Instructions to	2.12
Checking of	2.8.2	Payment from Bank Account	2.7.19-22
Booth Supplies		Training Evaluations	6.1.12
Packing and Distribution	2.4.11-12	Training Sessions Compulsory Attendance	2.12.9
Return of	4.5	Training Sessions Payment	7.1.14
Unpacking of	5.2	Disabled Voters	
Budgets		Number of Polling Places with Access	2.2.15
Preparation of	6.1.11	"D" Symbol	2.2.15
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Procedures	10.4	Dual Voting	
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			Informal Votes	
			Case Law	1.2.4
			Procedure	5.8.4-6
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Delivery to Polling Places	2.4.11		Special Voters not on printed roll	6.4.5
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Numbering Machines		Polling Places	2.2
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