# NOMINATION PAPER

## MEMBER of the GERALDINE LICENSING TRUST

Local Elections 2010
YOUR VOTE
YOUR COMMUNITY

**To: The Electoral Officer, Geraldine Licensing Trust**
**C/- Timaru District Council, 2 King George Place, PO Box 522, Timaru 7940**

*[Please make all cheques payable to Timaru District Council]*

**Nominations close 12 noon Friday 20 August 2010**

*[Nominators and Candidates must read the notes and additional information on the back of this form before completing]*

## Section A For the Nominator and Seconder to complete

We, the undersigned electors of the **Geraldine Licensing Trust** hereby nominate:

*(Full Christian or First Names)* *(Surname)*

Address

with his/her consent, as a candidate for the office of **MEMBER** of the **GERALDINE LICENSING TRUST**, the election for which is to be held on **Saturday 9 October 2010**.

Dated at _____ this _____ day of _____ 2010.

| **Nominator** Signature | | **Seconder** Signature | |
|---|---|---|---|
| Full Names | | Full Names | |
| Address | | Address | |

## Section B For the Candidate to complete

I, _____ hereby consent to the above nomination and certify that I am qualified to be a candidate under Section 25 of the Local Electoral Act 2001 and in terms of any other Act. In particular I am a New Zealand Citizen and a Parliamentary Elector and I am not disqualified from membership by Section 200 of the Sale of Liquor Act 1989 *(see notes on the reverse of this form and Appendix A)*.

In the public notice given under Section 65 of the Local Electoral Act 2001, I wish my affiliation to be shown as:

*(To be left blank if the candidate does not wish use any party affiliation)*

I wish my name to be shown on the voting document as

*(Surname first, ie* BLOGGS Joe *- commonly known or abbreviated name)*

Street Address

Postal Address

Phone Hm | Phone Wk | Fax

Mobile | Email

I submit with this nomination *(please tick appropriate boxes)* Deposit ☐ Passport size photo ☐ Profile statement ☐

I understand that, in not providing a profile or photo, the words "Profile/Photo not supplied" will appear below my name in the Profile Booklet. Profiles and photos will be supplied electronically to the Electoral Officer – YES / NO *(please circle one)*

**Signature of Candidate** **Date**

**Nomination documents must be in the hands of the Electoral Officer not later than 12 noon Friday 20 August 2010.**

**Note:** *Nomination forms are public documents and may be inspected by any interested member of the public. Please note that contact details provided on the nomination form by candidates are supplied on request to the news media and community groups organising election-related events. Please advise at the time of lodging your nomination if there are contact details that you wish to remain confidential.*

## Section C For the Electoral Officer to complete

Received at the hour of _____ on the _____ day of _____ 2010.

Nomination documents approved Nomination Paper ☐ Deposit ☐ Photo ☐ Profile Statement ☐

**Signature of**
**Electoral Officer or Deputy Electoral Officer:** _____

# NOTES

1 Candidates for the position of Geraldine Licensing Trust Member need to live within the Geraldine Licensing Trust area and must be a New Zealand citizen and enrolled as a parliamentary elector.

2 The Nominator and Seconder in the case of Geraldine Licensing Trust candidates must live within the Geraldine Licensing Trust area and must be New Zealand citizens and enrolled as parliamentary electors.

3 A candidate **cannot** nominate themselves for office.

4 Where no affiliation is claimed, or an affiliation is disallowed by the electoral officer under Section 57 of the Act, nothing will be shown in the public notice against the candidate's name, whether or not any other candidates have claimed an affiliation. You may identify yourself as an independent candidate, i.e. "Independent".

5 No person can be elected to a territorial authority if he/she is concerned or interested in contracts over $25,000 with that territorial authority. This restriction is waived if prior approval from the Audit Office is obtained.

6 Under Section 121 of the Local Electoral Act 2001, any person is liable to a fine of $2,000 who:
(a) Consents to being nominated as a candidate when knowing themselves to be ineligible for election, (for further information about candidates qualifications please see Attachment A to this nomination paper); or
(b) Nominates any person as a candidate whom he/she knows to be ineligible for election; or
(c) Not being the candidate, signs any nomination paper knowing that they are not qualified to vote at the election.

6 A candidate may under Section 56 of the Local Electoral Act be nominated under a name which the candidate is commonly known provided that the name will not:
- cause offence to a reasonable person
- be unreasonably long
- include or resemble an official rank or title
- cause confusion or mislead electors

7 A candidate may, in accordance with Section 61 of the Local Electoral Act 2001 and Clauses 26 to 29 of the Local Electoral Regulations 2001, provide a candidate profile statement including a recent photograph for dispatch to electors with the voting documents. For further information about candidate profile statements please see Attachment B to this nomination paper.

8 Nominations of candidates must be in the hands of the **Electoral Officer, Timaru District Council, 2 King George Place, PO Box 522, Timaru 7940, not later than 12 noon on the 20th day of August 2010.** This includes candidate profile statements and photos.

9 Each nomination must be accompanied by the required deposit of **$200** (inclusive of GST).

10 Evidence of New Zealand citizenship may be requested at time of candidate nomination. Acceptable evidence includes New Zealand Passport, New Zealand Birth Certificate or New Zealand Citizenship documentation.

Assistance with Nomination enquiries is available from the Electoral Officer on 03 687 7200,
Monday to Friday 8.30 am to 5.00 pm

# Attachment A:

## Candidate Qualifications: Elections of Licensing Trusts

*Section 200* of the *Sale of Liquor Act 1989* requires that a candidate for a licensing trust must be a residential elector of the trust, district or ward. The section also provides that the following persons are incapable of being elected or appointed to or of being members of a licensing trust.

(a) A person who is not an elector of the trust district or, in the case of the election or appointment of any member for a ward of a divided trust district, is not an elector entitled to vote at elections of members for that ward.

(b) (repealed by *Schedule 3, Part 1* of the *Local Electoral Act 2001*)

(c) A person who carries on the business of a brewer, wine or spirit merchant, maltster, or distiller, or of an importer for sale of or a dealer in fermented or spirituous liquors, or who is in partnership with any person carrying on any such business, or who is a member or employee or the husband or wife of a member or employee of an incorporated company that carries on any such business as a substantial part of its undertaking.

(d) A person who is the owner of an estate in fee simple or any less estate in any licensed premises, or who is a member or employee or the husband or wife of a member or employee of an incorporated company that owns any such estate.

(e) A person who is mentally disordered within the meaning of the *Mental Health Act 1969*.

(f) A bankrupt who has not obtained an order of discharge, or whose order of discharge is suspended for a term not yet expired or is subject to conditions not yet fulfilled.

(g) A person who is convicted of an offence punishable by imprisonment for a term of 2 years or more, unless (in the case of a person seeking election) that person has obtained a pardon or has served the sentence or otherwise suffered the sentence imposed on that person.

(h) A person who is convicted of any offence punishable by imprisonment for a term of less than 2 years and is sentenced to imprisonment for that offence, unless (in the case of a person seeking election) that person has obtained a pardon or has served the sentence.

Under *section 3(1)* of the *Local Authorities (Members' Interests) Act 1968*, no person can be elected to a local authority if he/she is concerned or interested in contracts over $25,000 in any financial year, with that local authority. This restriction is waived if prior approval from the Office of the Controller and Auditor-General is obtained.

# Attachment B:

# Candidate Profile Statements

## Right to Submit a Candidate Profile Statement (CPS)

- Every candidate for election to a City, District and Regional Council, a Community Board, and District Health Board and a Licensing Trust, may submit a CPS with their nomination paper *(Section 61 Local Electoral Act)*. It is not mandatory to submit a CPS.
- Where a candidate is standing for two or more offices, e.g. Mayor and Councillor – he/she may submit a CPS for each office (Clause 26, Local Electoral Regulations).

## Candidate Profile Statement Conditions

- Under *Section 61(2)(a) and (3) of the Local Electoral Act and Regulation 27 of the Local Electoral Regulations*, a CPS:
  - if in Maori and/or English, must not exceed 150 words in each of the languages used in the CPS. The information contained in each language must be substantially consistent with the information contained in the other language;
  - in any other language or combination of languages, must not exceed 150 words or their equivalent if symbols are used rather than words including any translation of those words. Where a CPS is in a language other than English or Maori, then the candidate must provide a translation of the CPS in English or Maori for verification of content. This translation is not published with the CPS.
- Every CPS **must** be submitted to the electoral officer before noon on **20 August 2010** *(Section 61(2)(b))*.
- The content of a CPS under Section 61(2)(c) must be confined to information:
  - concerning the candidate (including any affiliation made in the nomination paper or status as an independent and the candidate's contact details).
  - on the candidate's policies and intentions if elected.
- A CPS **cannot** be used to comment on the policies, performance, etc, of any other candidate.
- A CPS may include a recent photograph of the candidate alone which:
  - must be approximately 50mm by 40mm (passport size); and
  - as a general guide, has been taken within 12 months of the candidate's date of nomination
  - can be supplied electronically as a JPEG scanned at 300 dpi *(Section 61(2)(e) and Regulation 28)*

## Duties, Powers and Responsibilities of Electoral Officers in respect of Candidate Profile Statements

- Where an electoral officer is not satisfied that a CPS complies with Section 61(2) and (3), he/she must return the CPS to the candidate specifying:
  - the concerns and reasons for them; and
  - the period, which must be not less than 3 days from the date of the CPS's return, within which an amended CPS may be resubmitted. *(Section 61(4))*
- A candidate will be treated as having failed to provide a CPS if under Section 61(4) he or she:
  - fails to submit an amended CPS within the period specified by the electoral officer;
  - submits an amended CPS, which in the electoral officer's opinion, still fails to comply with Section 61(2) and (3). *(Section 61(5))*
- It is important to note that under *Section 61(6)*, the electoral officer:
  - is not required to verify or investigate any information in a CPS;
  - may include in or with any CPS a disclaimer concerning the accuracy of the information in the CPS;
  - is not liable in relation:
    - to any statement in or omitted from a CPS,
    - the work of a prudently selected translator,
    - the exercise of the powers and functions conferred on electoral officer under *Section 61*.

## Distribution of Candidate Profile Statements

- Section 62 and Regulation 29 requires the electoral officer to send with the voting documents, all CPS that comply with Section 61 for each candidate in the election for a local government area or subdivision. In addition, a local authority may display CPS at its offices, or service centres, and on its website in any appropriate manner during the voting period.
- Any failure by an electoral officer to comply with Section 62 will not invalidate the election.