

**CLAIM FOR INCLUSION ON THE ROLL OF NON-RESIDENT OWNERS OF RATEABLE LAND
OR THE ROLL OF OCCUPIERS AND RATEPAYING LESSEES**

COUNCIL OF THE CITY OF SYDNEY

CITY OF SYDNEY ACT 1988 (SECTION 15) AND LOCAL GOVERNMENT ACT 1993 (SECTION 303)

Corporation/Partnership Claim

PLEASE PRINT CLEARLY - ALL SECTIONS MUST BE FULLY COMPLETED

#See back of form for definitions and eligibility criteria.

Corporation/Partnership Nomination **Rate Assessment Number #** _____ - ____

The corporation/partnership (*cross out one*) known as: _____

A.C.N. / A.R.B.N. (If appropriate) _____ being: (*tick (✓) one box only*)

an owner # *or* a ratepaying lessee # *or* an occupier #

of rateable land in the City of Sydney with:-

Business name/Trading name (*cross out one if applicable*) _____

Situated at Property address: Shop No. _____ Floor _____ Street Address _____

_____ Postcode _____

nominates as its elector _____
(insert full name of nominee)

whose details appear under the heading "Nominee's Details".

My designation in the corporation/partnership (*cross out one*) is: _____

I declare that I am authorised by the corporation/partnership (*cross out one*) to make this nomination.

Name _____ **Applicant's signature** _____ **Date** ____/____/____.

<u>Nominee's Details</u>	<u>Nominee's Claim</u>
Surname _____ First Name(s) _____ Primary place of residence (full address) _____ _____ Postcode _____ Postal address (<i>if different from above</i>) _____ _____ Postcode _____ Daytime telephone _____ Mobile _____ Email _____ Fax _____ My date of birth is ____/____/____.	I am entitled to vote at an election of members of the New South Wales Legislative Assembly or an election of the Commonwealth House of Representatives and I am enrolled for the _____ State electoral district/Commonwealth division (<i>cross out one</i>). I claim the inclusion of my name on the non-residential roll or the roll of ratepaying lessees and occupiers. I declare that all the information I have given on this form is true and complete. _____ Date ____/____/____ Nominee's signature

Statement of Witness

I, a person of or above the age of 18 years, certify that I saw the applicant sign this claim and I believe, to the best of my knowledge, that the statements in the claim are true.

Witness Name _____ Witness signature _____

Witness address _____ Date ____/____/____

Send completed form to:
The Electoral Commissioner for NSW
 by post: GPO Box 3715, Sydney NSW 2001; or by hand: NSW Electoral Commission, Level 25, 201 Kent Street; or by fax: (02) 9290 5991 so it is received no later than **Monday, 4 August 2008**. Claims sent by Email cannot be accepted.

Processed ____/____/____ Initials _____	OFFICE USE ONLY
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The Council of the City of Sydney Non-Residential Roll of Electors – Corporation/Partnership Claim

If a claim for enrolment was made for the 2004 City of Sydney election as a corporation or partnership (firm) owner, ratepaying lessee or occupier of rateable land that and you are entitled to claim enrolment for the election on 13 September 2008, you must re-apply.

Corporations or Partnerships: If a corporation or partnership is the owner, ratepaying lessee or occupier of rateable land, one person nominated on a non-resident electoral enrolment claim form by the corporation or partnership shall be taken to be eligible as an elector instead of the corporation or partnership. If the same corporation or partnership is the owner, ratepaying lessee or occupier of 2 or more parcels of rateable land (whether in one or more of those capacities), all those parcels shall be taken to be a single parcel of land and (if applicable) to be held by the corporation or partnership in only one of those capacities.

If a nominated person is entitled to be enrolled as an elector because the person is a resident of the City of Sydney, that person is not entitled to be enrolled as an elector in any other capacity, i.e. as nominee in this application.

A person (or a nominee) is not entitled to be enrolled as an owner, ratepaying lessee or occupier unless entitled to vote at an election of members of the NSW Legislative Assembly or the Federal House of Representatives. A person or corporation or partnership nominee is entitled to one vote per City of Sydney election.

A corporation is an association, authority, company or other body of persons incorporated and registered as such with the Australian Securities and Investments Commission (ASIC) or a foreign equivalent, or an association, society, club, institution or body incorporated under the Associations Incorporation Act 1984 or other incorporating legislation of New South Wales or equivalent legislation in other States, and thereby able to own property and to sue or be sued in its own name or in the name of its secretary or of an officer of the corporation duly appointed for that purpose.

A partnership is defined under the Partnership Act as a group of persons carrying on business in common with a view to profit and a firm is the name to be given to that group of persons.

Rate Assessment Number: the number located in the top right portion of your City of Sydney Rate Notice. Please provide the number as shown on the Rate Notice. That is the first group of up to six numbers, the dash and the last number.

Non-Resident Owners, Ratepaying Lessees and Occupiers

Owner: means an owner of rateable land which is situated within the boundaries of the City of Sydney and includes a joint or several owner of rateable land; or the holder or resident manager of a lease, promise or contract of lease from the Crown of rateable Crown land, but does not include a lessee of rateable land (not being Crown land) or a person who merely occupies any such rateable land under a licence or other agreement, or where rateable land is held on trust, a beneficiary under the trust; nor does it include a joint or several owner if those persons are the owner of rateable land in the capacity as a partner in a firm.

Ratepaying Lessee: means a person whose primary place of residence is within New South Wales and who has been continuously, during the period of 3 months preceding the relevant date, the lessee (whether jointly or severally, but not as a partner in a firm) of rateable land and who is liable, under a lease in writing or other document of title relating to the land, to pay to any person the whole or any part of any local government rates which may be made or levied in respect of the land and where the annual amount payable by the lessee (or by the lessee together with another person or other persons but not if the ratepaying lessee and another person or persons are partners in a firm which is the ratepaying lessee of that rateable property) for the lease and local government rates is at least \$5,000.

Occupier: means a person whose primary place of residence is within New South Wales and who has been continuously, during the period of 3 months preceding the relevant date, in actual occupation of rateable land (jointly or severally, but not as an owner or ratepaying lessee or as a partner in a firm) where the annual amount payable by the person (or by the person together with another person or other persons but not if the occupier and another person or persons are partners in a firm which is the occupier of that rateable property) for the right to that occupation is at least \$5,000.

Corporations or Partnerships: If a corporation or partnership is the owner, ratepaying lessee or occupier of rateable land, one person nominated on a non-resident electoral enrolment claim form by the corporation or partnership shall be taken to be eligible as an elector instead of the corporation or partnership. If the same corporation or partnership is the owner, ratepaying lessee or occupier of 2 or more parcels of rateable land (whether in one or more of those capacities), all those parcels shall be taken to be a single parcel of land and (if applicable) to be held by the corporation or partnership in only one of those capacities.

Joint Ratepaying Lessees or Occupiers: If the annual amount payable for the lease and local government rates or the joint occupation of any rateable land exceeds \$5,000, the maximum number of lessees or occupiers, provided they are not partners in the firm which is the ratepaying lessee or occupier, of that rateable land for the purposes of having eligibility as an elector as lessee or occupier is the number obtained by dividing the annual amount so payable by \$5,000 ignoring any remainder. Where the number of joint ratepaying lessees or occupiers exceeds the maximum number allowable, the joint ratepaying lessees or occupiers may, by written nomination signed by the majority of those lessees or occupiers, choose from among themselves the persons with eligibility as electors, not being greater than that maximum number, for inclusion in the roll.

Relevant date means for the purpose of determining whether or not a person is entitled to have his or her name placed on the roll of non-resident electors, the date on which the claim for enrolment is made.

Rateable land includes all land on which any rate is leviable or levied under the Local Government Act 1993, but does not include land comprised solely of a lot in a strata plan within the meaning of the Strata Schemes (Freehold Development) Act 1973 or the Strata Schemes (Leasehold Development) Act 1986, being a lot designed, constructed or used solely or principally for the parking of a motor vehicle.

Enrolment as an owner, ratepaying lessee or occupier for the City of Sydney is not compulsory, however, electors whose names are included on the owners' roll or the roll of ratepaying lessees and occupiers, must vote or they may be fined.

Enrolment claim forms are available from the NSW Electoral Commission, Level 25, 201 Kent Street, Sydney (ph: 9290 5299) or the NSW Electoral Commission's website at www.elections.nsw.gov.au. Copies can also be obtained from the City of Sydney Council (ph: 9265-9333) at its One Stop Shop, Level 2, Town Hall House, 456 Kent Street Sydney, or at the Council's Neighbourhood Service Centres at 50-52 Darlinghurst Road Kings Cross; Glebe Town Hall, 160 St Johns Road Glebe; and 158 Redfern Street Redfern, or downloaded via the Council's website at www.cityofsydney.nsw.gov.au

Claims for enrolment as an owner, ratepaying lessee or occupier of rateable land in the City of Sydney must be received at the NSW Electoral Commission on or before Monday, 4 August 2008. They must be lodged by one of the following:

**by post: GPO Box 3715, Sydney NSW 2001; or
by hand: Level 25, 201 Kent Street, Sydney; or
by fax: (02) 9290 5991.**

Claims received by E-mail cannot be accepted.