

NOMINATION OF CANDIDATE BY TWO ELECTORS- LOCAL GOVERNMENT ELECTION

Read the provisions of the Local Government Act 1993 carefully (on the next page) before continuing.

This form and the deposit must be lodged with the returning officer for the council being contested prior to the close of nominations.

Use the checklist below prior to lodging the nomination form.

PART A - Candidate Details (to be completed by candidate)

- Completed candidate details
- Indicated position being contested
- Completed Council being contested and Ward if applicable

PART B - Ballot Paper Details (to be completed by candidate)

- Indicated whether the word "Independent" to be printed on ballot paper
- Indicated name to appear on ballot paper – one given name

PART C - Candidate Consent (to be completed by candidate)

- Candidate signed and dated consent to the nomination
- Completed contact details and indicated whether contact details are to be released

PART D - Nominator Details (to be completed by nominators)

- Ensure that no less than 2 nominators have completed their details and signed

PART E - Nomination Deposit (to be completed by candidate)

- Include nomination deposit cash or cheque drawn by an authorised deposit taking institution (personal cheques not accepted)

PART F - Further Material Required (to be completed by candidate)

- Completed all compulsory sections of the Candidate Information Sheet (Sections A and C)

Request to form a Group - Councillor

In an election where there are 2 or more Councillors to be elected, 2 or more candidates may request to form a group on the ballot paper by lodging a 'Request to form a Group (LGBY.204)' form with the returning officer prior to the close of nominations. Individual nomination forms must also be lodged.

Election Funding Registration

Candidates are advised to familiarise themselves with their obligations and entitlements under election funding legislation prior to nomination. See www.efa.nsw.nsw.gov.au

LOCAL GOVERNMENT ACT 1993

Enrolment of Candidates

To entitle a person to be nominated as a candidate that person must be enrolled as an elector for the Council area in which nominated at the closing date for the election and must be qualified to hold civic office. A person whose nomination would be rejected on the ground that the person is not on the roll of electors for the area may be nominated if: (a) the person's name has been omitted from that roll mistakenly or accidentally; and (b) but for that mistaken or accidental omission the nomination would not have been rejected.

What are the qualifications for civic office?

274. A person is qualified to hold civic office if:
- (a) the person is entitled to be enrolled as an elector; and
 - (b) the person is not disqualified from holding civic office by this Act, and
 - (c) the person is not prevented from being elected to civic office by section 276(2).

Who is disqualified from holding civic office?

- 275.(1) A person is disqualified from holding civic office:
- (a) while disqualified from being an elector; or
 - (b) while a judge of any court of the State or the Commonwealth; or
 - (c) while serving a sentence (whether or not by way of periodic detention) for a serious indictable offence or any other offence, except a sentence imposed for a failure to pay a fine; or
 - (d) if he or she is while holding that office, or has been within 2 years before nomination for election, election or appointment to the office, convicted of an offence under the regulations made for the purposes of section 748(3); or
 - (e) if he or she is while holding that office, or has been within 5 years before nomination for election, election or appointment to the office, convicted of an offence referred to in Part 4 of the Crimes Act 1900 (Offences relating to property); or
 - (f) while a surcharge, payable by the person under Part 5 of Chapter 13 and not paid within 6 months after it became payable, remains unpaid; or
 - (g) while disqualified from holding a civic office under a provision of this Act or Part 4A of the Crimes Act 1900 (Corruptly receiving commissions and other corrupt practices); or
 - (h) while disqualified from managing a corporation under Part 2D.6 of the Corporations Act 2001 of the Commonwealth.
- (2) A person is disqualified from holding civic office on a council if he or she is an employee of the council or holds an office or place of profit under the council.
- (3) A person is not disqualified from holding a civic office only because, while holding the civic office, the person ceases to be a resident in the area, to own property in the area or to be an occupier or ratepaying lessee of rateable land in the area.
- (4) A person is taken not to be disqualified from holding civic office if the Administrative Decisions Tribunal, in proceedings under section 329, has refused to order the dismissal of the person in circumstances to which subsection (4) of that section applies.

NOTE: If a person while holding civic office becomes subject to disqualification under this section, the office becomes vacant under section 234.

What is the effect of disqualification?

276. (1) A person who is disqualified from holding civic office may not be elected or appointed to a civic office and may not hold, or act in, a civic office.
- (2) A person who vacates the office of councillor by resignation or disqualification may not be elected to a civic office in the same area (and may not hold, or act in, a civic office in the same area) until:
- (a) if the person is not disqualified-the first anniversary of the vacation of office, or the next ordinary election for the area (whichever occurs first); or
 - (b) if the person is disqualified-the first ordinary election after the person ceases to be disqualified.
- (3) A person convicted of an offence under Part 6 of Chapter 16 for acting in a civic office while disqualified under section 275:
- (a) is disqualified from holding civic office for 7 years from the time of conviction, unless the court determines a shorter period; and
 - (b) is not entitled to receive or recover from the council any money relating to the civic office in respect of the period in which the person is disqualified.
- (4) The council may, within 2 years after the person so convicted receives money from the council relating to the civic office in respect of the period in which the person is disqualified, recover the money from the person as a debt.

Double candidature

283. (1) A person may be a candidate for election as mayor and a candidate for election as a councillor at the same time.
- (2) If the person is elected by the electors as mayor and the person is also a candidate for election as a councillor, the votes cast for the person as a councillor are not to be counted for that person but are to be distributed as prescribed by the regulations.

PART D - Nominator Details

Candidate Name:

NOTE: 1. A candidate cannot nominate themselves.

2. A person must not propose for nomination more than one candidate for election as mayor in the area, or more candidates for election as councillor in the ward or area than the total number of councillors to be elected for that ward or area.

3. This nomination must be made by at least 2 nominators enrolled in the ward or council area (whichever applies) being contested.

1.	Surname				Given Name(s)											
	Place of residence as enrolled															
	Council				Ward (if applicable)											
	Date of birth		/		/		Signature		Date	D	D	M	M	Y	Y	Y
2.	Surname				Given Name(s)											
	Place of residence as enrolled															
	Council				Ward (if applicable)											
	Date of birth		/		/		Signature		Date	D	D	M	M	Y	Y	Y
3.	Surname				Given Name(s)											
	Place of residence as enrolled															
	Council				Ward (if applicable)											
	Date of birth		/		/		Signature		Date	D	D	M	M	Y	Y	Y
4.	Surname				Given Name(s)											
	Place of residence as enrolled															
	Council				Ward (if applicable)											
	Date of birth		/		/		Signature		Date	D	D	M	M	Y	Y	Y

PART E - Nomination Deposit

I enclose the nomination deposit of

\$

PART F - Further Material Required

I attach a completed Candidate Information Sheet.

NSWEC USE ONLY

Received at am/pm

Deposit of \$ *cash/cheque (*delete one)

Entered into EMA by

on

