

2019 CANDIDATE INFORMATION HANDBOOK

ROTORUA ENERGY CHARITABLE TRUST
ELECTION OF TRUSTEES





Rotorua energy charitable Trust

Disclaimer: Every effort has been made to ensure that the information contained in this booklet is accurate and consistent with the Rotorua Energy Charitable Trust Deed of Trust as at 12 September 2018. Rotorua Energy Charitable Trust takes no responsibility for any errors or omissions. It is recommended that candidates obtain a full copy of the Deed which is available on request from Rotorua Energy Charitable Trust .

July 2019

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Overview



This handbook provides information which may be of interest to you as a candidate in the 2019 election of trustees.

The Rotorua Energy Charitable Trust district incorporates all of the Rotorua Lakes Council area, small parts of the Taupo District Council and the South Waikato District Council areas.

Six trustees are required to be elected.

An election is held every three years for the six trustee positions, by postal and online voting.

This will take place by postal and online vote between Friday 1 November and Saturday 23 November 2019.

Key dates for a candidate

Wednesday 28 August 2019 - Friday 30 August 2019	Public Notice: Notice of Election, Calling for Nominations, Inspection of Roll
Friday 30 August 2019	Nominations open Roll open for inspection
Friday 27 September 2019	Nominations close (noon) Electoral roll closes
Wednesday 2 October - Friday 4 October 2019	Public notice: candidate names
Friday 1 November 2019	Delivery of voting mailers Progressive roll scrutiny Early Processing Voting Period
Saturday 23 November 2019	Voting Closes (noon)
Wednesday 27 November - Friday 29 November 2019	Public Notice: Declaration of Results

Contact us

Electoral officer:

election
services



Dale Ofoske, Independent Election Services Ltd
Level 2, 198 Federal Street, Auckland 1010
PO Box 5135, Wellesley Street, Auckland 1141
Phone - 0800 922 822
Email - dale.ofoske@electionservices.co.nz
Website - www.electionservices.co.nz

Election details



Key message

The Rotorua Energy Charitable Trust is one of the largest charitable trusts in New Zealand. Established in 1994, the Trust's kaupapa (vision) is to help ensure 'A better Rotorua for all'.

Accordingly, trustees look to balance the needs of today, while maintaining a financial legacy for the future.

2019 Election

Every three years, eligible voters in the Rotorua Energy Charitable Trust district elect six trustees to the Trust. This will take place by postal and online vote between Friday 1 November and Saturday 23 November 2019.

Standing for election

Candidate qualifications

A candidate for the Rotorua Energy Charitable Trust must be:

- enrolled as a Parliamentary elector; and
- nominated by two electors (residential or ratepayer) of the respective local authority area of the Rotorua Energy Charitable Trust district.

Candidate restrictions

Candidates must be electors of the Rotorua Energy Charitable Trust district and cannot (under Rule 2.1 of Schedule 1 of the Deed of Trust) be:

- a bankrupt (who has not obtained a final order of discharge);
- a person convicted of any offence punishable by a term of imprisonment of 2 years or more;
- a person sentenced to imprisonment for any offence unless pardoned or served the sentence;
- a person who has an order under section 135 of the Companies Act 1993;
- a person who is mentally disordered within the meaning of the Mental Health (Compulsory Assessment and Treatment) Act 1992;
- a person subject to a property order under section 30 or 31 of the Protection of Personal and Property Rights Act 1989.



Nominations

Elections required

Elections will be held for six (6) trustees to the Rotorua Energy Charitable Trust:

Nominations will open on Friday 30 August 2019 and close at noon on Friday 27 September 2019.

A public notice calling for nominations will appear in the:

- Daily Post on Wednesday 28 and Friday 30 August 2019;
- Weekender on Friday 30 August 2019.

Each nomination must be made on the appropriate official nomination paper, which is available from Friday 30 August 2019:

- by phoning the electoral office on 0800 922 822;
- by emailing info@electionservices.co.nz;
- at Rotorua Energy Charitable Trust office, 1358 Eruera Street, Rotorua.
- by accessing www.rotoruatrust.org.nz

Completion of nomination paper

The candidate must complete and sign the front page of the nomination paper to indicate their consent to stand as a candidate for the Rotorua Energy Charitable Trust election.

Each nomination paper must be completed and signed by two nominators, who meet the eligibility criteria.

A candidate may not nominate themselves for office.

Each nomination paper must be accompanied by the required deposit of \$200 (inclusive of GST). This is refunded if the candidate polls greater than 25% of the lowest successful candidate.

If a candidate is commonly known in the community by a slightly different name (eg Edward Smith is commonly known as Ted Smith) and has been known by this name for at least the last six months (to the satisfaction of the electoral officer), the commonly known name may appear on the voting document.

Candidates are not permitted to use official titles or ranks etc as part of their name on the voting document.

The use of degrees or qualifications is also not permitted on the voting document after a candidate's name.

The use of titles or ranks, and qualifications may be included as part of the 150 word candidate profile statement.

Candidates may provide the electoral officer with a candidate profile statement with their nomination. This statement **must not exceed 150 words** and should contain information about the candidate, their qualifications and skills applicable to the position for which they are standing and their policies/intentions if elected to office. The candidate profile statement must be true and accurate and the electoral officer is not required to verify or investigate any information included in this statement.

Candidates may also provide a passport sized, colour photo with their nomination paper.

The candidate profile statement and colour photo will be included with the voting document sent to each elector.

Return of nomination paper

Nomination papers must be in the hands of the electoral officer or an electoral official not later than noon on Friday 27 September 2019.

Completed nomination papers can be hand-delivered to:

- the Electoral Officer
Independent Election Services Ltd
Level 2, 198 Federal Street
Auckland; or
- Rotorua Energy Charitable Trust office
1358 Eruera Street
Rotorua



or posted to:

- the Electoral Office
PO Box 5135
Wellesley Street
Auckland 1141

All nomination materials (nomination paper, candidate profile statement, photo and nomination deposit) should be lodged together.

A receipt will be issued to acknowledge that a nomination has been received. This receipt does not constitute acknowledgement that the nomination paper is in order.

Once lodged, nomination papers are checked to ensure the candidate and nominators are eligible and that all sections of the nomination paper have been completed correctly.

The lodgement of nomination materials should not be left to the last minute. Should a nomination paper be lodged late on the morning nominations close, and be incorrectly completed or ineligible nominators are provided, there may be insufficient time to correct the situation and the nomination paper could be invalidated.

After the close of nominations

Once nominations have closed, a list of all candidates will be provided to the Rotorua Energy Charitable Trust and media.

A public notice advising of the candidate names will be published in the aforementioned newspapers from Wednesday 2 October 2019.

Voting



Key message

The three-week voting period is Friday 1 November 2019 to noon Saturday 23 November 2019. Voting packs are posted to electors from Friday 1 November 2019, with special votes available to those who have not received an ordinary vote during the voting period.

Voting period

Those eligible to vote in the Rotorua Energy Charitable Trust elections are all resident and ratepayer electors whose names appear on the respective district council roll, and whose address is within the district at 4pm on Friday 27 September 2019.

The election is being conducted by postal and online vote.

Voting documents are posted to all electors whose names appear on the final electoral roll, with delivery commencing Friday 1 November 2019.

Each voting document will include a set of unique online voting credentials and a URL for the purpose of online voting.

Each elector, after receiving their voting document, can either complete it, seal it in the return postage-paid envelope, and post or deliver it to the electoral office, or follow the instructions to cast their vote online.

A ballot box will be available from Friday 1 November 2019 until noon on Saturday 23 November 2019

(during normal office hours) for the hand-delivery of voting documents at Rotorua Energy Charitable Trust, 1358 Eruera Street, Rotorua.

When posting voting documents back, it is recommended that these be posted by 5pm, Monday 18 November 2019.

To be counted, all completed voting documents must be in the hands of the electoral officer by noon on Saturday 23 November 2019. The preliminary result will be known early afternoon.

Voting documents cannot be collected by candidates or their assistants.

Special voting

Special votes are available to electors:

- who do not receive a voting document previously posted to them; or
- who have spoilt or damaged a voting document previously sent to them.

Special voting documents are available from Friday 1 November 2019 to noon, Saturday 23 November 2019:

- by phoning the Electoral Office on 0800 922 822, for one to be posted out; or
- in person at Rotorua Energy Charitable Trust office, 1358 Eruera Street, Rotorua.

Special votes cannot be collected by candidates or their assistants for distribution to electors.

Campaigning

Key message

Election campaigning can commence anytime and may continue up to and including election day. However there are certain constraints candidates need to be aware of.

Election signs are only permitted on private property (with the owner's consent) within the two months preceding the election (23 September 2019 to midnight 22 November 2019). Signs must be erected in a stable fashion, not being a hazard to public or traffic safety. Council policy on election signs is detailed in further on this page.

Election advertising, using any media, must identify:

- the true name of the person under whose authority they have been produced and
- the physical address (not a PO Box) of the person under whose authority they have been produced.

[Section 113, Local Electoral Act 2001]

Campaigning

Election signs however are only permitted on private property (with the owner's consent) and designated public sites within the two months preceding the election (23 September 2019 to 22 November 2019).

Election signs must be removed prior to election day (ie by midnight of Friday 22 November 2019).

Signs must be erected in a stable fashion, not being a hazard to public or traffic safety. Council policy on election hoardings and approved Council owned sites are detailed in further on this page.

No election material can contain any untrue statement defamatory of any candidate (for example under the Defamation Act 1992) and calculated to influence the vote of any elector. No election material may contain an imitation voting document which has the names of the candidates with any direction or indication as to the candidate a person should vote for, or in any way contains such direction or indication likely to influence the voter.

Voting documents should not be collected from electors by candidates or their assistants. Each

elector should post or deliver his or her own voting document to the electoral officer. This also applies to resthomes and hospitals - voting documents should not be collected from elderly or infirm electors by candidates or their assistants.

Candidates should be aware that it is an offence (carrying a fine of up to \$5,000, if convicted) to interfere in any way with an elector with the intention of influencing or advising that elector as to how he or she should vote. Candidates and their assistants should be mindful of this particularly if campaigning occurs in rest homes or hospitals.

Election signs and hoardings

Election signs can be referred to as hoardings, posters, signs or other similar types of promotion that are used to display information relating to the election of a candidate(s) or choice of political party or promotions of issues relating to a referendum.

The display of election signs and hoardings is governed by the relevant Council policy and bylaws.

Rotorua Lakes Council area:

Council's Requirements for Election Hoardings and Signage and the Council's Signs and Roads Bylaw 2015 applies to this election. A full copy is available at: www.rotorualakescouncil.nz/our-council/PoliciesandBylaws/Pages/default.aspx

Briefly, the following rules apply:

B. Any election hoarding or signs erected on council or New Zealand Transport Association (NZTA) land including road reserve will be removed. Any non-complying signs, or signs deemed to be unsafe, may be removed by the Rotorua Lakes Council officers and enforcement costs may apply.

- that free standing signs have a ground clearance of 1.4m under the sign;
- not exceed 3m² in height (from ground level);
- not exceed 3m² in area (2.4m x 1.2m sheet).

Any election sign shall be removed the day before.

Electoral donations and expenses

Key message

Candidates need to be aware to keep a record of all donations received and expenses incurred in their election campaign. Election expenditure limits will apply depending on the population size of the election the candidate is standing for.

Campaign expenditure limit

Electoral expenses are defined as relating to electoral activity which can comprise advertising, broadcasting or communicating material to the public (electronically or otherwise). These electoral expenses are generally funded by the candidate and not reimbursable from the organisation the candidate is standing for.

Expenditure limits are based on population figures in a given area.

The estimated expenditure limit for candidates for the Rotorua Lakes Council area of the Rotorua Energy Charitable Trust is \$40,000 (including GST), based on a population of 72,500 (population estimate as at 15 November 2018).

The estimated expenditure limit for candidates for the Taupo District Council and the South Waikato District Council areas of the Rotorua Energy Charitable Trust cannot be determined as the Rotorua Energy Charitable Trust covers only small parts of these districts.

The period for which campaign expenditure limits apply is three months before election day (ie 23 August 2019 to 23 November 2019). However legislation further specifies that all expenses incurred before the three month period for campaign expenditure and used during the three month period, must be fairly apportioned and included in the Return of Electoral Donations and Expenses.

Where an electoral expense relates to more than one candidate, an equitable apportionment between candidates is required.

Nomination deposits are not an electoral expense and therefore should not be included in the Return of Electoral Donations and Expenses.

Return of electoral donations and expenses

Every candidate - whether successful or not - is required to submit a Return of Electoral Donations and Expenses recording donations and expenditure incurred in their campaign (even if it is a NIL return).

This must be supplied to the electoral officer within 55 days of the official declaration (estimated to be by 21 January 2020). This can be supplied to the electoral officer within 76 days after the official declaration if a candidate is overseas when the successful candidates are declared elected.

A copy of the form is included in this document and attached to all nomination papers and is available on request, by phoning the Electoral Office on 0800 922 822.

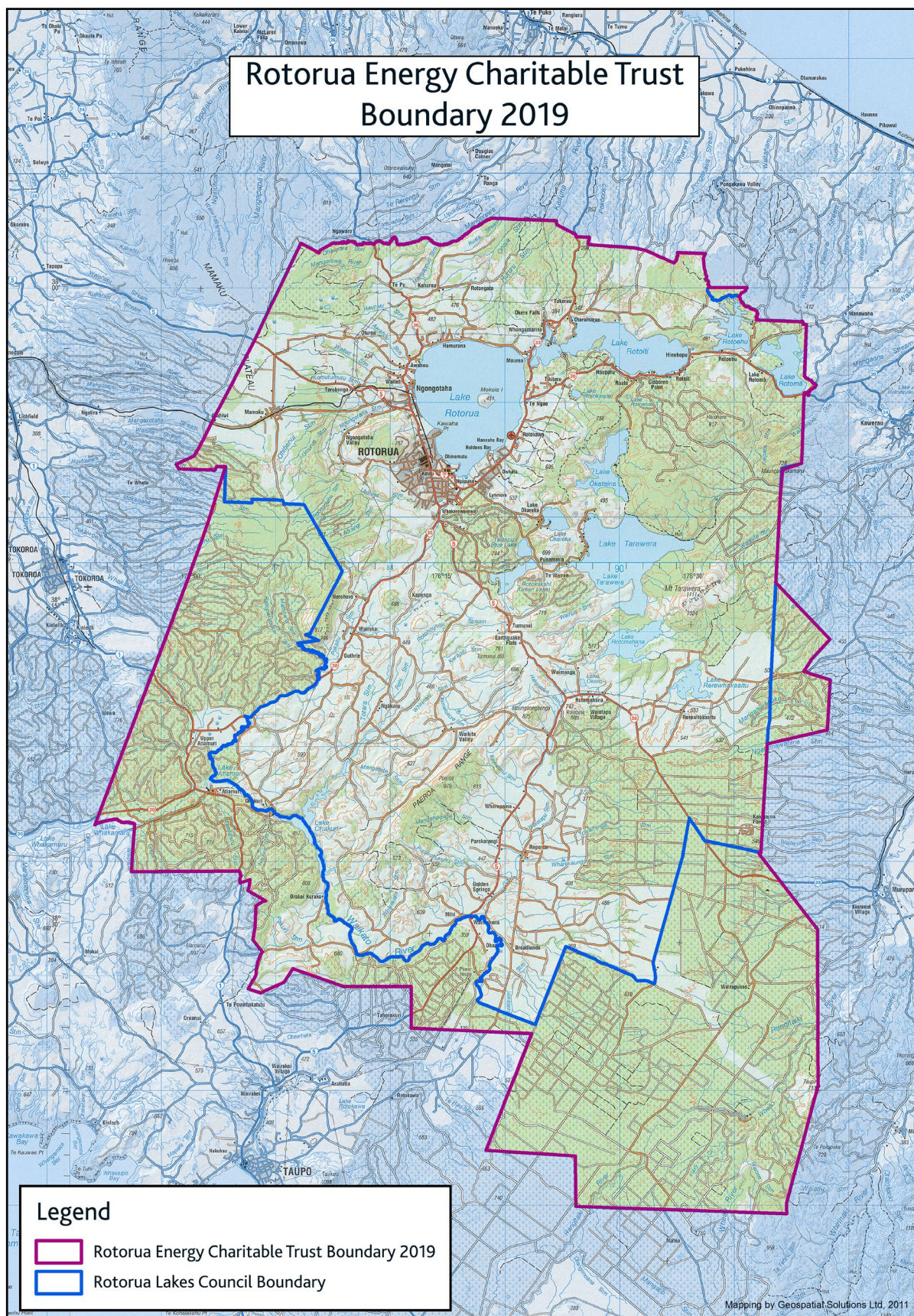
This is a requirement under section 112 of the Local Electoral Act 2001.

Candidates are advised to retain all invoices and receipts relating to electoral expenses should these be required in the event of a challenge. They should not be submitted with the return.

Those candidates who are eligible for the refund of their \$200 nomination deposit, will receive their refund once their Return of Electoral Donations and Expenses form has been received by the Electoral Office.

More information relating to Electoral Donations and Expenses can be found in Part 5 of the Local Electoral Act, 2001. This can be accessed online at: www.legislation.govt.nz

Rotorua Energy Charitable Trust Boundary 2019



RETURN OF ELECTORAL DONATIONS AND EXPENSES

(Under section 112A of the Local Electoral Act 2001)

I, a candidate for

at the election held on 23 November 2019, make the following declaration:

PART A: RETURN OF ELECTORAL DONATIONS (inclusive of GST)

I, make the following return of all electoral donations received by me that exceed \$1,500:

Set out the following details in respect of every **electoral donation** received (other than an anonymous electoral donation) that, either on its own or when aggregated with all other donations made by or on behalf of the same donor for use in the same campaign, exceeds \$1,500 in sum or value:

- the name of the donor;
- the address of the donor;
- the amount of the donation or, in the case of aggregated donations, the total amount of the donations;
- the date the donation was received or, in the case of aggregated donations, the date that each donation was received.

NB: Section 103A Local Electoral Act 2001 defines "donation" as money or the equivalent of money or of goods or services or of a combination of those things used in the candidate's election campaign over \$300 in value. It excludes labour and goods and services that are provided free of charge reasonably valued at \$300 or less.

NAME and ADDRESS of DONOR	DESCRIPTION (include goods or services)*	DONATION	
		<i>Date received</i>	<i>Amount</i>
* set out here if the donation is funded from contributions			Total

Set out the following details in respect of every **anonymous electoral donation** received that exceeds \$1,500:

- the date the donation was received;
- the amount of the donation;
- the specific election campaign to which the donation was designated (see top of page);
- the amount paid to the electoral officer and the date the payment was made.

NB: Section 103A Local Electoral Act 2001 defines "anonymous" as a donation made in such a way that the candidate who receives the donation does not know the identity of the donor, and could not, in the circumstances, reasonably be expected to know the identity of the donor.

ANONYMOUS DONATION		DESCRIPTION (include goods or services)	PAID TO ELECTORAL OFFICER	
<i>Date received</i>	<i>Amount</i>		<i>Date paid</i>	<i>Amount</i>
Please turn page for more Electoral Donations, Electoral Expenses and Declaration			Total	

In the case of any **electoral donation funded from contributions**, set out the following details in respect of each contribution that, either on its own or when aggregated with other contributions made by the same contributor to the donation, exceeds \$1,500 in sum or value:

- the name of the contributor;
- the address of the contributor;
- the total amount of the contributor's contributions made in relation to the donation.

NB: Section 103A Local Electoral Act 2001 defines "contributions" as money or goods or services that have been given to a donor to fund, be applied to, or included in an electoral donation (for example, contributions to trust funds or a fundraising collection).

NAME and ADDRESS of CONTRIBUTOR	DESCRIPTION (include goods or services)*	DONATION <i>Date received</i>	CONTRIBUTION <i>Amount</i>
* set out here the electoral donation this contribution applies to.		Total	

PART B: RETURN OF ELECTORAL EXPENSES (inclusive of GST)

I make the following return of all electoral expenses incurred by me:

Set out the following details in respect of every electoral expense incurred by or on behalf of the candidate at the election in respect of any electoral activity:

- the name and description of every person or body of persons to whom any sum was paid;
- the reason that sum was paid.

Sums paid for radio broadcasting, television broadcasting, newspaper advertising, posters, pamphlets etc must be set out separately and under separate headings.

NAME and DESCRIPTION	REASON for EXPENSES	EXPENSES PAID
Total		

Dated at this day of 2019.

Signature

THIS FORM IS REQUIRED TO BE COMPLETED (**EVEN IF IT IS A NIL RETURN**) AND PROVIDED TO THE ELECTORAL OFFICE,
PO BOX 5135, WELLESLEY STREET, AUCKLAND 1141, **BY 21 JANUARY 2020.**

NOTE: RECEIPTS ARE **NOT** REQUIRED TO BE RETURNED WITH THIS FORM. PLEASE RETAIN THESE FOR YOUR RECORDS.

Notes



Rotorua energy
charitable Trust

