

2022 CANDIDATE INFORMATION HANDBOOK

ROTORUA ENERGY CHARITABLE TRUST,
OPERATING AS ROTORUA TRUST
ELECTION OF TRUSTEES



Rotorua Trust

MŌ TĀTAU KATOĀ



Rotorua Trust

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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, operating as Rotorua Trust, Deed of Trust as at 22 February 2021. Rotorua Trust takes no responsibility for any errors or omissions. It is recommended that candidates obtain a full copy of the Deed of Trust which is available on request from Rotorua Trust.

August 2022

Contents

Overview	2
Election details.....	3
Standing for election.....	4
Nominations.....	5
Voting	7
Campaigning.....	8
Electoral donations and expenses	10
Maps.....	11

Return of electoral donations and expenses form
Notes



Overview

This handbook provides information which may be of interest to you as a candidate in the 2022 election of trustees.

The Trust district for the Rotorua Energy Charitable Trust, operating as the Rotorua Trust, 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 28 October and Saturday 19 November 2022.

Key dates for a candidate

6pm, Tuesday 23 August 2022	Candidate Information Evening
Wednesday 24 - Friday 26 August 2022	Public notice: notice of election, calling for nominations, inspection of roll
Friday 26 August 2022	Nominations open Roll open for inspection
Friday 23 September 2022	Nominations close (12 noon) Electoral roll closes
Wednesday 28 - Friday 30 September 2022	Public notice: candidate names
Friday 28 October 2022	Delivery of voting mailers Progressive roll scrutiny Early processing Voting period
Saturday 19 November 2022	Voting closes (12 noon)
Wednesday 23 - Friday 25 November 2022	Public notice: declaration of results

Contact us

Electoral officer:



Dale Ofoske, Independent Election Services Ltd
Level 2, 198 Federal Street, Auckland 1010
PO Box 5135, Victoria Street West, Auckland 1142
Phone - 0800 922 822
Email - dale.ofoske@electionservices.co.nz
Website - www.electionservices.co.nz

Election details

Key message

The Rotorua Trust is one of the largest charitable trusts in New Zealand. Established in 1994, the Trust's kaupapa (vision) is 'Mō Tātau Katoa - For All of Us'.

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

2022 Election

Every three years, eligible voters in the Rotorua Trust district elect six trustees to the Trust. This will take place by postal and online vote between Friday 28 October and Saturday 19 November 2022.

What is the role of a Trustee?

Trustees are responsible for governance, rather than management, looking at wider issues such as Trust values, vision and purpose.

Trustees of the Rotorua Trust have four main functions:

- To establish the strategic direction of the Trust in terms of investment and granting beliefs.
- To oversee the effective investment of the Trust fund including regular monitoring of fund performance.
- To decide upon the distribution of fund proceeds to a range of charitable purposes with the aim of ensuring the best possible outcomes for the people of the Rotorua district.
- To advocate for, and facilitate delivery of, positive change in the Rotorua community.

The Deed of Trust, and statutory legislation, also need to be followed including the Trustees Act 2019.

How much time does it involve?

The nature of the role does require a time commitment, which does vary. As a minimum, Trustees are expected to commit to:

- Up to six hours a month to attend the Trust's monthly meeting.
- Time for meeting preparation and follow up as required.
- The equivalent of a half day per quarter to attend subcommittee meetings.
- Be available to the community as appropriate.
- Up to one week per year for professional development including attending various training, seminars and workshops.

What is the Trustee remuneration?

The remuneration of Trustees is an annual honorarium, which is adjusted each year to ensure reasonable remuneration for the services provided but must not exceed fair market value. This is currently:

- Chairman \$39,015 p.a.
- Trustees \$22,046 p.a.

Trustee remuneration is under review, and a proposed remuneration change may reduce the level of remuneration.

To find out more about the Trust, and the work we do, check out our website: www.rotoruatrust.org.nz

Standing for election

Candidate qualifications

A candidate for the Rotorua Trust must be:

- enrolled as an elector of a Local Authority situated within the Rotorua Trust funding district (the District); and
- nominated by two electors of the respective local authority area of the Rotorua Trust District.

Candidate restrictions

Candidates 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.
- a person who has already held the office of Trustee for an accumulated term of 9 years (whether that term has been served concurrently or in any number of broken periods), provided that any period of time that a person has served as a Trustee of the Trust prior to the election of Trustees held in or about November 2019 shall not be counted for the purposes of this clause.



Nominations

Elections required

Elections will be held for six (6) trustees to the Rotorua Trust.

Nominations will open on Friday 26 August 2022 and close at 12 noon on Friday 23 September 2022.

A public notice calling for nominations will appear in the:

- Daily Post on Wednesday 24 and Friday 26 August 2022;
- Weekender on Friday 26 August 2022.

Each nomination must be made on the appropriate official nomination paper, which is available from Friday 26 August 2022:

- by phoning the electoral office on 0800 922 822;
- by emailing info@electionservices.co.nz;
- at the Rotorua Trust office, Haupapa House, 1072 Haupapa 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 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 12 noon on Friday 23 September 2022.

Completed nomination papers can be hand-delivered to:

- the Electoral Officer
Independent Election Services Ltd
Level 2, 198 Federal Street
Auckland; or
- Rotorua Trust office
Haupapa House
1072 Haupapa Street
Rotorua

or posted to:

- the Electoral Office
PO Box 5135
Victoria Street West
Auckland 1142



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 Trust and media.

A public notice advising of the candidate names will be published in the aforementioned newspapers from Wednesday 28 September 2022.

Voting



Key message

The three-week voting period is Friday 28 October 2022 to 12 noon Saturday 19 November 2022. Voting packs are posted to electors from Friday 28 October 2022, 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 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 23 September 2022.

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 28 October 2022.

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 28 October 2022 until 12 noon on Saturday 19 November 2022 (during normal office hours) for the hand-delivery

of voting documents at the Rotorua Trust, Haupapa House, 1072 Haupapa Street, Rotorua.

When posting voting documents back, it is recommended that these be posted by 5pm, Monday 14 November 2022.

To be counted, all completed voting documents must be in the hands of the electoral officer by 12 noon on Saturday 19 November 2022. 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 28 October 2022 to 12 noon, Saturday 19 November 2022:

- by phoning the Electoral Office on 0800 922 822, for one to be posted out; or
- in person at the Rotorua Trust office, Haupapa House, 1072 Haupapa Street, Rotorua.

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

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 (19 September 2022 to midnight 18 November 2022). Signs must be erected in a stable fashion, not being a hazard to public or traffic safety. Council policy on election signs is detailed further on this page.

Election advertising, using any media (including social media), must identify:

- the true name of the person under whose authority they have been produced and
- the contact details of the person under whose authority they have been produced.

[Section 113(2)(b), Local Electoral Act 2001]

This may include on media such as posters, advertisements, signs/hoardings, vehicle signage, websites, social media posts.

Campaign advertisements are subject to the Advertising Standards Authority (ASA) Code, which is accessible at www.asa.co.nz/codes/codes/advertising-standards-code/

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 (19 September 2022 to 18 November 2022).

Election signs must be removed prior to election day (ie by midnight of Friday 18 November 2022).

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.

Social media

Social media can be a useful tool for candidates for campaigning purposes and electioneering.

The Trust's social media channels are Trust resources and must remain politically neutral at all times. The Trust will promote elections and the importance of voting but will not associate these posts with any candidates.

The Trust's social media accounts will not follow any candidates. This may result in your account being unfollowed.

The Trust's social media accounts are not permitted to be used as a communications channel by anyone (candidates or members of the public) for promotion, electioneering or campaigning.

Candidates should not post on the Trust's social media channels, nor should they comment on, share or otherwise use the Trust's social media channels for electioneering. You may not rate, review, check-in or tag the Trust's social media channels in your own posts or comments.

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 Election Sign Guidelines apply to this election. A full copy is available on the council's website www.rotorualakescouncil.nz.

Candidates may put up electoral signs in the Rotorua Lakes Council area provided that they meet the following requirements:

- Signs can only be displayed during the period beginning 9 weeks before polling day and ending at midnight the day before polling day.
- All signs must be located on private property with the consent of the property owner.
- Form and letter height must be consistent with the specifications set out in clauses 3, 5, 6, 7 and 8 of the Electoral (Advertisement of a Specific Kind) Regulations 2005.
- Free standing signs must have a ground clearance of 1.4m under the sign.
- Signs must not exceed 3m in height (from ground level).
- Signs must not exceed 3m² in area (2.4m x 1.2m sheet).
- All signs must be securely braced /suitably supported from the ground up to carry wind loads for 60 days.
- Signs should not obscure any other sign (election or otherwise).

- Signs cannot obstruct a driver's vision, cause confusion or distraction to drivers or create a situation hazardous to the safe movement or direction of traffic. Where there is an impact on the State Highway network, consent of the New Zealand Transport Agency is required.

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, will be removed by the Rotorua Lakes Council officers and enforcement costs will apply.

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 Trust is \$40,000 (including GST), based on a population of 77,440 (population estimate as at 30 June 2021).

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

The period for which campaign expenditure limits apply is three months before election day (ie 19 August 2022 to 19 November 2022). 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 19 January 2023). 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.

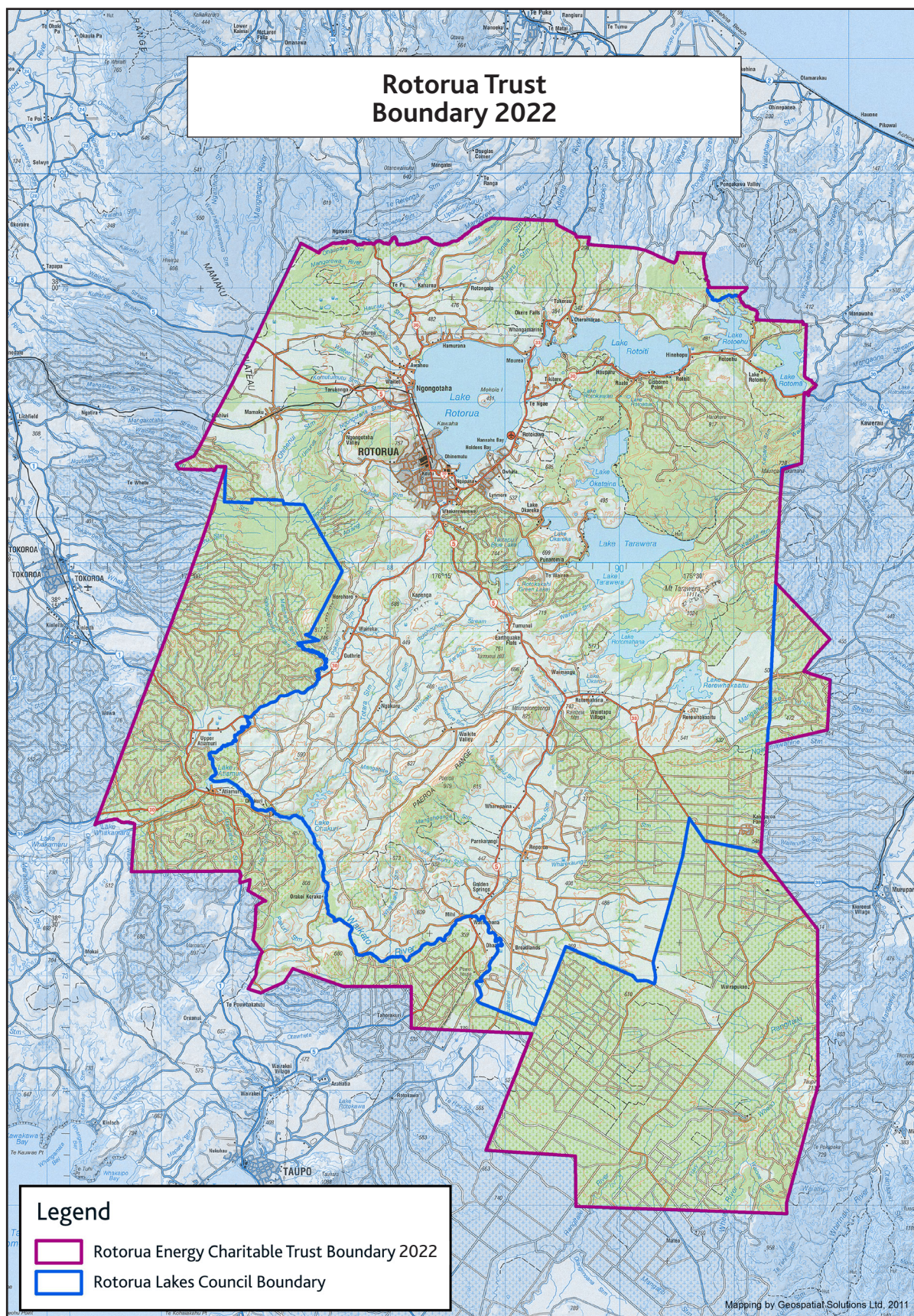
This is a requirement under section 112 of the Local Electoral Act 2001.

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 Trust Boundary 2022





RETURN OF ELECTORAL DONATIONS AND EXPENSES

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

I, a candidate for

at the election held on 19 November 2022, 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 it's 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 2022.

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 19 JANUARY 2023.**

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

Notes



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