

Mayor and Councillors
COUNCIL

13 JUNE 2019

Meeting Status: **Public**

Purpose of Report: For Information

LOCAL BODY ELECTION 2019 - PRE-ELECTION BRIEFING

PURPOSE OF REPORT

- 1 This report provides information to elected members relevant to the local body elections 2019.

BACKGROUND

- 2 Voting in the 2019 local elections closes on Saturday 12 October at noon. In accordance with the Local Electoral Act 2001, other pertinent dates are:
 - Nominations open on Friday 19 July and close at 12 noon on Friday 16 August.
 - Voting documents will be delivered from Friday 20 September to Wednesday 25 September, and processing of votes will take place between Friday 20 September and Saturday 12 October.
 - Scrutineers may be appointed, but not later than 12 noon on Friday 11 October.
 - Candidates, regardless of the outcome, will be required to submit their election expenses forms by mid-December.
 - Campaigning may commence at any time and continue up to and including 12 October.
- 3 There are rules around the erection of election signs in regards to permitted sites and timing and these rules will be included - with other necessary detailed information – in the Candidates Handbook which will be available before mid-July.
- 4 Council is developing a communications and engagement plan for key messaging around stages of the election period i.e. enrolling, standing, and voting, and these messages will appear across a variety of channels over the period.

ISSUES AND OPTIONS

Issues

- 5 There are a number of legislative rules and council protocols to be aware of prior to the election.

- 6 In April 2004 the Controller and Auditor-General published *Good Practice for Managing Public Communications by Local Authorities*. Set out below are the relevant extracts from this publication relating to council communications in the three-month pre-election period 12 July 2019 to polling day 12 October 2019. In the report there are two key principles relating to elections:

Principle 12 – a local authority must not promote, nor be perceived to promote the re-election prospects of a sitting member. Therefore, the use of council resources for re-election purposes is unacceptable and possibly unlawful.

Principle 13 – A council's communications policy should also recognise the risk that communications by or about members, in their capacities as spokespersons for council, during a pre-election period could result in the member achieving electoral advantage at ratepayers' expense. The chief executive officer (or his or her delegate) should actively manage the risk in accordance with the relevant electoral law.

- 7 These guidelines will be put into effect in early July insofar as the content and circulation of council communications, council-funded newsletters and other similar publications are concerned.
- 8 The Local Government Act 2002 requires the chief executive to produce a pre-election report by the end of July 2019. The purpose of the report is to provide information to promote public discussion about the issues facing the local authority.
- 9 Council staff have been briefed on the protocols applying to staff during the pre-election period.
- 10 During the three months prior to polling day council resources should not be used in any way that could be deemed to give any sitting member an electoral advantage or by any sitting member solely in their capacity as a candidate for the elections.

Not permitted – use of council stationery, email, postage, internet, website, branding, photocopiers/faxes, phones, council venues explicitly for campaigning purposes; any use of council communications channels that could be construed as giving a sitting member an unfair electoral advantage through raising their profile where this is not necessary.

Permitted – photos of members where it is the practice to include them, such as in the Annual Report or website; communication by spokespersons on council business to the public where this is part of 'business as usual'.

- 11 If any complaints are lodged with the Electoral Officer she is bound by law to report these to the Police.

CONSIDERATIONS

Policy considerations

- 12 There are no policy considerations.

Legal considerations

- 13 There are no additional legal considerations.

Financial considerations

14 There are no financial considerations.

Tangata whenua considerations

15 There are no tangata whenua or Treaty of Waitangi considerations.

SIGNIFICANCE AND ENGAGEMENT

Significance policy

16 This matter has a low level of significance under Council's Significance and Engagement Policy.

Consultation already undertaken

17 This information report has also been circulated to Community Boards.

Publicity

18 As indicated above, Council will be implementing a communications and engagement plan to encourage enrolling, standing, and voting.

RECOMMENDATIONS

19 That Council note the information on the 2019 election period in report PP-19-794.

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