

Scrutineer Handbook

Local Government postal by-elections 2022



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Scrutineer Handbook

Local Government by-elections 2022

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Introduction

This handbook is intended to assist scrutineers in Victorian local government postal elections conducted by the Victorian Electoral Commission (VEC).

The handbook outlines aspects of electoral law that relate directly to scrutineers. The handbook is not a substitute for the law and should be read in conjunction with the *Local Government Act 2020 (the Act)* and the Local Government (Electoral) Regulations 2020 (the Regulations). The public can access the most recent versions of Victorian legislation at legislation.vic.gov.au.

The ongoing COVID-19 pandemic may impact election activities. The VEC will provide further information to candidates and scrutineers about any restrictions on election activities as required.

1. Appointment of Scrutineers

1.1 Role

A candidate may appoint one or more scrutineers to observe election proceedings on their behalf. A scrutineer represents a candidate's interests by ensuring the integrity of the election process.

Scrutineers have the right to observe certain election activities prior to the close of voting and to observe the counting of votes. They may challenge the admission or rejection of ballot paper envelopes and the formality of ballot papers, but the ruling of the Election Manager over any challenge is final.

The election activities a scrutineer may observe include:

- the posting of postal ballot envelopes
- the opening and emptying of a post office box
- the opening and emptying of a postal ballot receptacle
- the receipt and processing of ballot paper envelopes
- the extraction, counting and recounting of ballot papers.

Each candidate can be represented by no more than one scrutineer for every election official involved in the election activity being observed. Scrutineers can only observe activities for the specific election they are appointed for.

Scrutineers must cooperate with election officials and should refrain from making unreasonable requests or queries. Any misconduct or failure to obey the lawful directions of an election official is an offence and the offender may be removed from the venue. For information regarding offences, refer to Chapter 4.

1.2 Appointment and declaration of scrutineers

Before a scrutineer can perform their role at an election activity they must submit a fully completed *Appointment and Declaration of Scrutineer* form available from the Election Manager, and online at vec.vic.gov.au or in the *Candidate Information Kit*. Electronic candidate signatures will not be accepted; however a scanned and printed copy of an original signature is acceptable (that is, candidates must sign the form by hand, however the form may then be scanned and printed for use by the scrutineer). The scrutineer must sign the declaration section in the presence of an election official.

Election activities may take place at different venues during the election period and a scrutineer must provide a separate appointment form for each venue they attend before they can observe the election activities.

After signing a form in front of an election official, a scrutineer may enter that venue at any time during election activities, taking care not to cause interruptions. A scrutineer may also leave a specific venue at any time and their place may be taken by another appointed scrutineer for the same candidate.

If a scrutineer is visiting the same venue and representing the same candidate over several days, they are not required to present a new form each time. Instead, the time and date of each attendance will be noted on the reverse of the *Appointment and Declaration of Scrutineer* form.

1.3 Disqualifications

A person cannot be appointed as a scrutineer if they are:

- a councillor of the council
- a candidate at the election or at any other election for that council conducted simultaneously with that election
- a person appointed by the VEC to be involved in the conduct of the election.

1.4 Identification

When signing in, scrutineers will be issued with identification which must be displayed at all times during the performance of their duties.

Scrutineers **must not** wear or display a candidate's badge, emblem or political slogan while inside a venue where voting is taking place.

Scrutineers may, throughout the day, check in and check out of the venue where an election activity is being conducted. Scrutineers must advise an election official of any movement as this will need to be recorded.

1.5 Briefing of scrutineers

Scrutineers will be briefed on their rights and responsibilities and will be provided with a detailed explanation of processes before each activity commences.

Scrutineers will be advised:

- they can only be present when ballot papers for their candidate's ward are being processed
- of the total envelopes or ballot papers involved in each activity prior to its commencement

- they have the right to observe all aspects of the processing of ballot papers, but they **must not** unnecessarily communicate with anyone during the election activity
- they are permitted to use mobile phones but this must not interfere with election activities (for example, phones should be used away from the extraction/counting area)
- that if they are involved in loud or distracting conversations they will be asked to step away from election staff
- they must allow space for staff to carry out their duties
- that at all times they must wear the provided scrutineer vest, and identifying accessory that is colour-coded to the council or ward they are observing
- they must return their vest and identifying accessory at the end of the day's activities or when they leave the building for the last time
- they **must not** under any circumstances handle ballot paper envelopes or ballot papers
- any challenge or query must be drawn to the attention of the Election Manager or a person authorised by the Election Manager in charge of the election activity
- the Election Manager's decision in relation to challenges raised by scrutineers will be final.

Candidates will be advised of the venue and approximate start time for each election activity. It is the responsibility of each candidate and their scrutineer(s) to ensure that scrutineers arrive promptly to avoid missing briefings.

Note: Candidates will be advised of any major changes to commencement times and/or venues, and are responsible for notifying their scrutineers accordingly.

2. The voting period

2.1 Posting the ballot packs

Ballot packs will be prepared by the VEC's contracted mail house under the supervision of the VEC. The general mail-out of ballot packs will take place over three days, with no more than 35% of the ballot packs being posted or delivered to voters on any one day.

Scrutineers are entitled to observe the posting of the ballot packs at the lodgement point. For subdivided councils, scrutineers can only be present during the posting of ballot papers for the ward in which their candidate is standing for election.

Note: The VEC mail house is the lodgement point where scrutineers may observe posting of ballot packs.

Returned ballot material will be delivered to the election office by Australia Post, or collected from the local postal facility by the Election Manager, or a person appointed by the Election Manager.

2.2 Preliminary scrutiny of ballot paper envelopes

All returned ballot paper envelopes will be checked for validity and the voter will be marked off the roll. The returned ballot paper envelopes must have been signed by the voter in order to be admitted to the count. Where more than one envelope has been received from any voter (for example, a general mail-out and a replacement envelope) the Election Manager will determine which, if any, of the envelopes is to be admitted to the count. Any invalid ballot paper envelopes will be rejected.

Admitted and rejected envelopes will be separated and stored in a secure location until they are ready for further processing. After voting has closed, the admitted ballot paper envelopes will be brought to the counting area, the declaration flaps will be removed, and the envelopes will be opened in the presence of any scrutineers in attendance. Scrutineers will be advised of the number of envelopes admitted to the count.

Note: Scrutineers may challenge the admission or rejection of ballot paper envelopes prior to the count.

This activity may take place in two stages. The first stage follows the close of voting and the second stage follows the close of the postal receipt period.

2.3 Unenrolled votes

The declaration details on envelopes received from voters who do not appear to be on the voters' roll but claim they should be are referred to VEC for checking. The VEC will engage with councils where it is determined that a council entitlement may exist. The VEC will provide advice to the Election Manager as to whether the vote can be admitted to the count or must be rejected.

2.4 Close of postal vote receipt period

Postal voting closes at 6.00 pm on the last working day before election day.

Postal votes may be admitted to further scrutiny if:

- the voter voted before 6.00 pm on the last working day before election day, and
- the ballot paper envelope is received by the Election Manager before 12 noon on the fifth working day after Election Day.

In determining whether a vote was completed by the required deadline, election officials will refer to the date that the declaration on the ballot paper envelope was signed by the voter.

Postal votes received after the last day of voting that do not satisfy these requirements will be rejected.

3. Obtaining the results

3.1 Overview

The Regulations allow for postal votes to be received until 12 noon on the fifth working day after election day. Results cannot be finalised until after this time. The Election Manager will advise candidates of local counting arrangements after the close of nominations.

Scrutineers are entitled to observe the processing of ballot papers to obtain the results of the election, but must not handle ballot papers, ballot paper envelopes or any other election material.

Scrutineers are permitted to view all markings on ballot papers but should not communicate with anyone or delay the activity, except where necessary in the performance of their duties. Scrutineers should be aware that Election Managers and their staff are generally temporary or casual appointments by the VEC, and their positions require them to be compliant with strict procedures and timeframes.

Due to the extended postal vote receipt period, counting may take place over more than one day. Candidates will be advised of the count schedule.

Note: Scrutineers present at an activity will be informed of any adjournment and will be advised of the location and time that proceedings will continue.

3.2 Opening admitted ballot paper envelopes

The process for opening all admitted envelopes is:

1. The declaration flaps containing the voters' details are removed from the ballot paper envelopes and set aside.
2. The ballot paper envelopes are opened, and ballot papers are extracted.
3. The ballot papers are bundled into 50s.
4. The empty ballot paper envelopes are bundled and set aside.

3.3 Total ballot papers

When all ballot papers have been extracted from their envelopes the total number of ballot papers to be accounted for during the count will be announced. This figure may vary from the total number of envelopes as some envelopes (such as envelopes that are empty, envelopes that contain more than one ballot paper, and envelopes that contain a ballot paper from a different election) will be rejected.

3.4 Counting methods

Counting will proceed efficiently and methodically and will not be rushed.

If the results are to be obtained manually, the ballot papers will be sorted and counted to gain the first preference results followed by preference distributions if necessary.

If results are to be obtained via computer count, the preferences on each individual ballot paper will be entered into the Computer Count application, which will provide the final results (see subsection 'Computer count').

In order for a candidate to be elected they must obtain an absolute majority (see section 3.5 *Single Vacancies*) or a quota (see section 3.6 *Multiple Vacancies*) of the formal vote.

Ballot paper formality examples are included in the Appendices.

3.5 Single vacancies

A candidate in a single vacancy election must obtain an absolute majority of the formal vote in order to be elected. An absolute majority is more than 50% of the total formal vote. All single-vacancy elections are counted using the preferential counting system and are, unless advised otherwise, conducted manually.

During a manual count, the ballot papers are sorted to first preferences for each candidate and informal votes are set aside. A preference distribution is only required if no candidate receives an absolute majority at the conclusion of the first preference count.

First preferences

In order to obtain the first preference results manually for single-vacancy elections:

1. The ballot papers are sorted to the first preferences for each candidate and informal votes are set aside.
2. The ballot papers for each candidate and informal are counted and the result is recorded.
3. The result determines if any candidate has received an absolute majority. If not, a preference distribution will take place.

When the count of the ballot papers is completed (that is, a candidate is elected either through an absolute majority or a preference distribution), the ballot papers are placed in security boxes and sealed.

Preference distribution

If no candidate receives an absolute majority of first preference votes for a single-vacancy ward, the Election Manager will conduct a preference distribution to determine the successful candidate. All totals will be reconciled at each stage of the preference distribution.

During a preference distribution, the ballot papers of the candidate with the least votes are distributed among the remaining candidates. This process may need to be repeated until a candidate is elected. The Election Manager will explain procedures if a preference distribution is required.

Challenges to ballot paper formality

Scrutineers may challenge the formality of a ballot paper at any time during the processing of votes. The final determination of the formality of ballot papers will be made by the Election Manager. If a challenge is made during a manual count, the ballot paper in question will be allocated to the 'Challenged' sorting card and referred to the Election Manager for ruling. The Election Manager will write ADMITTED or REJECTED on the back of the ballot paper and initial and date their endorsement.

Ballot papers that are admitted will be labelled with a dot sticker so that scrutineers are aware that the Election Manager has ruled on formality and they are not subject to further challenge, should they appear in later preference distributions. The Election Manager may include their interpretation of a preference number on the dot sticker for clarity.

Note: *ADMITTED* and *REJECTED* are the only terms allowed to be written on ballot papers. Scrutineers are not permitted to have the details of their challenge recorded on a ballot paper.

3.6 Multiple vacancies

Where more than one councillor is to be elected, the proportional representation (PR) counting method will be used to determine the result. Candidates must obtain a quota to be elected. The quota is calculated as follows, with any remainder disregarded:

$$\left(\frac{\text{Number of formal votes}}{\text{Number of vacancies} + 1} \right) + 1 = \text{Quota}$$

PR counting is complex and time-consuming, so such counts are conducted by computer.

Computer count

Computers will be used to obtain the results of an election with multiple vacancies and scrutineers are entitled to observe all aspects of the computer count for the election they are appointed to. When using computers, ballot papers will be amalgamated and batched into 50s. The preferences on each ballot paper will be entered into the computer count application by data entry operators.

The computer checks each ballot paper for formality during data entry and any informal ballot papers will be identified and removed from the count. The Election Manager will check all informal ballot papers and any determined to be formal will be returned to data entry. Only the preferences entered from formal ballot papers will be saved to the computer count application. When the entry of all ballot papers has been accounted for, a result will be calculated.

Two reports will be available periodically during computer counts:

- progressive first preference results during data entry
- ballot paper details to enable a comparison of the preferences entered into the computer count application against the actual ballot papers for a particular batch.

When data entry for all ballot papers is complete and the result calculated, scrutineers will be provided with the distribution of preferences report.

Challenges during a computer count

Scrutineers may ask computer count team leaders for information at any time during the course of the count and may express concerns about the accuracy of a data entry operator, or the entry of a specific batch. If this occurs, the team leader will review the relevant ballot papers with the scrutineer, comparing them to the preferences shown on the ballot paper details report. If any errors are found, the team leader will correct these in the computer count application.

3.7 Recount of votes

At any time before a candidate has been declared elected, the Election Manager may -

- if they believe it is necessary, or
- at the written request of a candidate specifying reasons
- open any sealed parcel containing ballot papers and recount the ballot papers.

The following applies to recounts:

- a recount may be conducted at the discretion of the Election Manager
- the Election Manager may conduct one or more recounts
- the Election Manager must make reasonable efforts to notify candidates or their representatives before a recount is conducted.

The Election Manager may recount designated parcels of ballot papers or all ballot papers and may reverse any decision in relation to any ballot paper.

The result of a recount supersedes the original count.

4. Offences

4.1 Offences by scrutineers

The Election Manager (or other election official) may have a scrutineer removed from a venue if:

- more than one scrutineer for each election official involved in each electoral activity is present at one time
- the scrutineer commits any breach of the Act or Regulations
- the scrutineer handles any ballot papers
- the scrutineer disrupts or hinders the electoral activities
- the scrutineer fails to obey a lawful direction from an election official.

4.2 Interference with rights

It is an indictable offence for a person to hinder or interfere with the free exercise or performance of any other person's political right or duty relevant to an election under the Act [section 301(1) of the Act].

PENALTY: 600 penalty units or imprisonment for five years.

4.3 Offences relating to ballot papers

It is an indictable offence to:

- forge any ballot-paper, prescribed form or other form or document submitted or lodged in connection with an election or
- utter any forged ballot-paper, prescribed form or other form or document submitted or lodged in connection with an election or
- forge the signature of any person on any ballot-paper, prescribed form or other form or document submitted or lodged in connection with an election [section 294(1) of the Act].

PENALTY: 600 penalty units or imprisonment for five years.

It is an indictable offence to, in respect of an election:

- vote in the name of another person, including a dead or fictitious person or
- vote more than once or
- apply for a ballot-paper in the name of another person [section 294(3) of the Act].

PENALTY: 600 penalty units or imprisonment for five years.

It is an indictable offence to:

- open any sealed envelope containing a ballot paper or break the seal or open any ballot-box or parcel sealed under the Act or the Regulations or
- deal with any ballot-papers, voters' rolls or other material used at an election under this Act or the regulations.

This does not apply to person authorised by the Act or Regulations [section 296 of the Act].

PENALTY: 600 penalty units or imprisonment for five years.

4.4 Interfering with postal ballot materials

It is an indictable offence for a person to interfere with any material being, or to be, sent or delivered to a voter by the VEC at an election. This does not apply to a person who is acting with the authority of the VEC [section 299 of the Act].

PENALTY: 600 penalty units or imprisonment for five years.

4.5 Infringement of secrecy

Except as authorised by law, it is an offence for a person who is present when a voter votes to:

- a) ascertain or disclose by word, act or other means, the vote of the voter or
- b) directly or indirectly require, induce or attempt to induce the voter to show how the voter intends to vote or
- c) communicate with or assist the voter while voting or look at the voter's vote or ballot paper [section 297 of the Act].

PENALTY: 120 penalty units or imprisonment for one year.

4.6 False or misleading declaration

It is an indictable offence for a person to make a statement knowing that it is false in a material particular in any information provided orally or in writing in relation to voter enrolment or in any declaration or application in relation to an election under the Act or the Regulations [section 293 of the Act].

PENALTY: 600 penalty units or imprisonment for five years.

Appendices

Appendix 1: Ballot paper formality

In order for a ballot paper to be formal it must contain the number 1. All other boxes must be numbered in sequential order from 1 to the number of candidates in the election.

The following should be used as a guide to ballot paper formality. Any challenges to the formality of ballot papers must be referred to the Election Manager.

<div data-bbox="252 743 571 1433"> <p>Ballot Paper Sample City Council Sample Ward Election of 1 Councillor</p> <p><i>Number the boxes 1 to 6 in the order of your choice.</i></p> <p>Number every box to make your vote count. You must not use any number more than once.</p> <p><input type="checkbox"/> 6 CANDIDATE, Name</p> <p><input type="checkbox"/> 2 CANDIDATE, Name</p> <p><input type="checkbox"/> 4 CANDIDATE, Name</p> <p><input type="checkbox"/> 1 CANDIDATE, Name</p> <p><input type="checkbox"/> 3 CANDIDATE, Name</p> <p><input type="checkbox"/> 5 CANDIDATE, Name</p> <p style="text-align: right;"><small>Victorian Electoral Commission</small></p> </div> <div data-bbox="529 1048 805 1310" style="border: 1px solid black; border-radius: 50%; padding: 10px; text-align: center;"> <p>FORMAL</p> <p><i>The numbers are consecutive, starting at 1</i></p> </div> <p>1. All boxes should be numbered using the full sequence of numbers as indicated on the ballot paper.</p>	<div data-bbox="850 743 1169 1433"> <p>Ballot Paper Sample City Council Sample Ward Election of 1 Councillor</p> <p><i>Number the boxes 1 to 6 in the order of your choice.</i></p> <p>Number every box to make your vote count. You must not use any number more than once.</p> <p><input type="checkbox"/> 2 CANDIDATE, Name</p> <p><input type="checkbox"/> 4 CANDIDATE, Name</p> <p><input type="checkbox"/> 1 CANDIDATE, Name</p> <p><input type="checkbox"/> 3 CANDIDATE, Name</p> <p><input type="checkbox"/> CANDIDATE, Name</p> <p><input type="checkbox"/> 5 CANDIDATE, Name</p> <p style="text-align: right;"><small>Victorian Electoral Commission</small></p> </div> <div data-bbox="1125 1048 1396 1310" style="border: 1px solid black; border-radius: 50%; padding: 10px; text-align: center;"> <p>FORMAL</p> <p><i>Only one box left blank, clearly last preference</i></p> </div> <p>2. The only exception is where one box is left blank and would logically have contained the last preference.</p>
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Ballot Paper
Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes 1 to 6 in the order of your choice.

Number every box to make your vote count. You must not use any number more than once.

2 CANDIDATE, Name

1 CANDIDATE, Name

3 CANDIDATE, Name

4 CANDIDATE, Name

5 CANDIDATE, Name

6 CANDIDATE, Name

Victorian Electoral Commission

FORMAL

Even though there is a tick the number 1 is clear

3. Each ballot paper must have a number 1 in, adjacent to, or level with one box.

Ballot Paper
Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes 1 to 6 in the order of your choice.

Number every box to make your vote count. You must not use any number more than once.

2 CANDIDATE, Name

CANDIDATE, Name

1 CANDIDATE, Name

CANDIDATE, Name

3 CANDIDATE, Name

CANDIDATE, Name

Victorian Electoral Commission

INFORMAL

More than one box left blank

4. More than one box left blank makes the ballot paper informal.

Ballot Paper
Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes 1 to 6 in the order of your choice.

Number every box to make your vote count. You must not use any number more than once.

4 CANDIDATE, Name

5 CANDIDATE, Name

1 CANDIDATE, Name

2 CANDIDATE, Name

6 CANDIDATE, Name

7 CANDIDATE, Name

Victorian Electoral Commission

INFORMAL

Sequence discontinued between 2 and 4 (3 is missing)

5. Any omission of a number from the sequence makes the ballot paper informal.

Ballot Paper
Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes 1 to 6 in the order of your choice.

Number every box to make your vote count. You must not use any number more than once.

1 CANDIDATE, Name

3 CANDIDATE, Name

5 CANDIDATE, Name

6 CANDIDATE, Name

CANDIDATE, Name

2 CANDIDATE, Name

Victorian Electoral Commission

INFORMAL

The number 4 has been omitted from the sequence

6. Any omission of a number from the sequence makes the ballot paper informal.

Ballot Paper
Sample City Council
Sample Ward
Election of 1 Councillor

Number the boxes 1 to 6 in the order of your choice.

Number every box to make your vote count.
You must not use any number more than once.

2 CANDIDATE, Name
 4 CANDIDATE, Name
 1 CANDIDATE, Name
 4 CANDIDATE, Name
 3 CANDIDATE, Name
 5 CANDIDATE, Name

INFORMAL

The number 4 appears twice

Victorian Electoral Commission

7. Any duplicate of a number in the sequence makes the ballot paper informal.

Ballot Paper
Sample City Council
Sample Ward
Election of 1 Councillor

Number the boxes 1 to 6 in the order of your choice.

Number every box to make your vote count.
You must not use any number more than once.

2 CANDIDATE, Name
 3 CANDIDATE, Name
 6 CANDIDATE, Name
 1 CANDIDATE, Name
 4 CANDIDATE, Name
 5 CANDIDATE, Name

FORMAL

Numbers outside boxes are still clearly allocated

Victorian Electoral Commission

8. Numbers next to names are acceptable providing the voter's intention is clear.

Ballot Paper
Sample City Council
Sample Ward
Election of 1 Councillor

Number the boxes 1 to 6 in the order of your choice.

Number every box to make your vote count.
You must not use any number more than once.

4 CANDIDATE, Name
 3 CANDIDATE, Name
 2 CANDIDATE, Name
 1 CANDIDATE, Name
 6 CANDIDATE, Name
 5 CANDIDATE, Name

FORMAL

The correction is clear

Victorian Electoral Commission

9. Amendments are acceptable providing the voter's intention is clear. All other marks are to be ignored.

Ballot Paper
Sample City Council
Sample Ward
Election of 1 Councillor

Number the boxes 1 to 6 in the order of your choice.

Number every box to make your vote count.
You must not use any number more than once.

4 CANDIDATE, Name
 5 CANDIDATE, Name
 3 CANDIDATE, Name
 2 CANDIDATE, Name
 0 CANDIDATE, Name
 1 CANDIDATE, Name

INFORMAL

Sequence must be 1, 2, 3, etc. Zero (0) is not permitted

Victorian Electoral Commission

10. The number '0' (zero) makes the ballot paper informal as it is outside the range of numbers indicated in the instructions on the ballot paper.

Ballot Paper
Sample City Council
Sample Ward
Election of 1 Councillor
Number the boxes 1 to 6 in the order of your choice.
Number every box to make your vote count. You must not use any number more than once.

5 CANDIDATE, Name
4 CANDIDATE, Name
2 CANDIDATE, Name
2 CANDIDATE, Name
6 CANDIDATE, Name
1 CANDIDATE, Name

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INFORMAL
Numbers in the third and fourth boxes cannot be distinguished

11. Poorly formed numbers must be considered in the context of the whole ballot paper.

Ballot Paper
Sample City Council
Sample Ward
Election of 1 Councillor
Number the boxes 1 to 6 in the order of your choice.
Number every box to make your vote count. You must not use any number more than once.

6 CANDIDATE, Name
2 CANDIDATE, Name
4 CANDIDATE, Name
3 CANDIDATE, Name
5 CANDIDATE, Name
1 CANDIDATE, Name

Victorian Electoral Commission

FORMAL
Numbers can be determined by taking whole ballot paper into account

12. Poorly formed numbers are acceptable if they can reasonably be construed as numbers comprising part of the sequence.

Ballot Paper
Sample City Council
Sample Ward
Election of 1 Councillor
Number the boxes 1 to 6 in the order of your choice.
Number every box to make your vote count. You must not use any number more than once.

II CANDIDATE, Name
III CANDIDATE, Name
I CANDIDATE, Name
V CANDIDATE, Name
IV CANDIDATE, Name
VI CANDIDATE, Name

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FORMAL
All figures clearly represented in unconventional format

13. Unconventional but recognisable numbers such as Roman numerals or continental numbers are acceptable.

Ballot Paper
Sample City Council
Sample Ward
Election of 1 Councillor
Number the boxes 1 to 6 in the order of your choice.
Number every box to make your vote count. You must not use any number more than once.

one CANDIDATE, Name
five CANDIDATE, Name
two CANDIDATE, Name
four CANDIDATE, Name
six CANDIDATE, Name
three CANDIDATE, Name

Victorian Electoral Commission

FORMAL
Written numbers are acceptable

14. Numbers may also be written (one, two, three, etc.), but non-English words or characters are not acceptable.

Ballot Paper
Sample City Council
Sample Ward
 Election of 1 Councillor

*Number the boxes 1 to 6
 in the order of your choice.*

**Number every box to make your vote count.
 You must not use any number more than once.**

- 2 CANDIDATE, Name
- CANDIDATE, Name
- 3 CANDIDATE, Name
- 4 CANDIDATE, Name
- 5 CANDIDATE, Name
- 6 CANDIDATE, Name

INFORMAL
No number one

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15. Ticks, crosses, As and Bs, etc., are not acceptable as indicators of preference. Must have a number 1.

Ballot Paper
Sample City Council
Sample Ward
 Election of 1 Councillor

*Number the boxes 1 to 6
 in the order of your choice.*

**Number every box to make your vote count.
 You must not use any number more than once.**

- CANDIDATE, Name
- CANDIDATE, Name
- 1 CANDIDATE, Name
- CANDIDATE, Name
- CANDIDATE, Name
- CANDIDATE, Name

INFORMAL
Sequence stops after number one

Victorian Electoral Commission

16. Ticks, crosses, As and Bs, etc., are not acceptable as indicators of preference.

Appendix 2: Damaged ballot papers

Election officials may come across ballot papers that have been damaged.

Where an official can determine a voter had access to all candidate information on the ballot paper when recording their preferences, such a ballot paper can be ruled 'formal' if all formality requirements have otherwise been met.

If, from the intact part, the official can determine that the voter had access to the names of all candidates then look at the formality requirements.

Ballot Paper
Sample City Council
Sample Ward
 Election of 1 Councillor

*Number the boxes 1 to 6
 in the order of your choice.*

**Number every box to make your vote count.
 You must not use any number more than once.**

6 **CANDIDATE, Name**

2 **CANDIDATE, Name**

4 **CANDIDATE, Name**

1 **CANDIDATE, Name**

3 **CANDIDATE, Name**

5 **CANDIDATE, Name**

FORMAL

*All preferences
 are discernible*

Ballot Paper
Sample City Council
Sample Ward
 Election of 1 Councillor

*Number the boxes 1 to 6
 in the order of your choice.*

**Number every box to make your vote count.
 You must not use any number more than once.**

6 **CANDIDATE, Name**

2 **CANDIDATE, Name**

4 **CANDIDATE, Name**

1 **CANDIDATE, Name**

3 **CANDIDATE, Name**

CANDIDATE, Name

INFORMAL

*The number five is
 missing and cannot
 be assumed to exist*

Glossary

Electoral Personnel

Candidate	A person who nominates to contest an election for a council.
Chief Executive Officer	The person appointed by a council to be its Chief Executive Officer or any person acting in that position.
Electoral Commissioner	The person responsible for the administration of electoral law in Victoria. This responsibility includes the maintenance of the electoral roll, the conduct of all parliamentary elections and the conduct of council elections.
Election Manager	The person appointed by the Electoral Commissioner to be responsible for the administration of a council election.
Scrutineer	A person appointed by a candidate to observe certain procedures on the candidate's behalf at an election.

Electoral Terms

Absolute majority	More than 50% of the formal votes in an election.
Act	The <i>Local Government Act 2020</i> [Act] and amending legislation.
Ballot pack	For an election conducted by post, the VEC mails out to each voter an envelope containing the ballot materials needed by the voter. It includes: <ul style="list-style-type: none"> • a ballot paper attached to candidates' statements, photos and voting instructions • a multi-language leaflet for relevant elections • a ballot paper envelope with a flap for the voter's declaration • a Reply-Paid envelope in which to return the completed ballot material to the Election Manager.
Ballot paper	The paper listing the names of all the candidates contesting the election on which the voter records their preferences for each candidate in the election.
Ballot paper envelope	An envelope used by the voter to enclose their completed ballot paper. The envelope includes a detachable flap containing the name and address of the voter. The voter is required to sign the flap.
Computer count	The electronic counting of votes.
Council	A local government authority as defined and set out in the Act.
Disadvantaged voter	Any voter who: <ul style="list-style-type: none"> • is wholly or partially blind; or • is unable to read or write; or • has severe difficulty in reading or writing; or • is not sufficiently familiar with the English language to vote without assistance and an interpreter is not available.

Distribution of preferences	The process used to determine the successful candidate in an election when no candidate receives an absolute majority for a single vacancy election, or quota of formal first preference votes for a multiple vacancy election.
Early voting	An Election Manager may issue a voter with a ballot paper prior to the general mail-out if satisfied that special circumstances exist, e.g. where a voter is about to go overseas prior to the general mail-out and will not be returning prior to the close of voting.
Election Day	Means the day of an election fixed under section 257 or 260 of the <i>Local Government Act 2020</i> .
Preliminary scrutiny	The validation of envelopes containing postal, unenrolled and other declaration votes.
Proportional representation	The process used to elect representatives in proportion to their level of support in an election with multiple vacancies.
Quota	Using the proportional representation method, a candidate is elected on receiving a number of votes equal to or exceeding a quota. The quota is determined by dividing the total number of formal votes by the number of vacancies plus 1 and adding one to the result.
Recount	A provision whereby the Election Manager may, at any time before the declaration of the election, open any sealed parcel containing ballot papers and conduct a fresh count. A recount usually occurs or is requested when the result of an election is close.
Regulations	The Local Government (Electoral) Regulations 2020 [Reg.].
Replacement vote	A replacement vote is issued when a voter claims to have lost or spoiled their ballot material or claims that they did not receive a ballot pack.
Scrutiny	The checking and counting of ballot papers and declaration envelopes to ascertain the result of an election.
Unenrolled vote	A vote made by a person who claims to be entitled to vote but whose name cannot be found on the voters roll.
Unsubdivided council	A council that is not divided into wards.
Victorian Electoral Commission (VEC)	The statutory body responsible for the conduct of State Parliamentary and local council elections in Victoria. The Electoral Commissioner is the statutory head of the VEC.

Voter	A person enrolled on the voters' roll.
Voters' roll	The certified voters' roll is a merger of the CEO List provided by council with the Electoral Commissioner's list of State electors in that council. A separate roll is created for each individual election.
Ward	A subdivision of a council. In subdivided councils, councillors are elected to represent a ward.

