Ballot paper formality guide – retired or deceased candidate

Local council elections 2024
Ballot paper formality guide – retired or deceased candidate

Ballot paper formality rules – retired or deceased candidate

Overview

These formality rules are to be used in place of the 2024 Ballot paper formality guide in elections where the name of a retired or deceased candidate appears on the ballot paper.

Legislative framework

The Local Government (Electoral) Regulations 2020 (Vic) (the Regulations) instruct the Victorian Electoral Commission (VEC) about how to count ballot papers that include a candidate who is deceased, retired, or taken to be retired.

Regulations 27(8)(b) and 28(2)(b) provide that if the election manager receives a completed ballot paper on which the name of a retired or deceased candidate has not been removed, the name of the retired or deceased candidate and any figure next to the name are to be treated as removed and the ballot paper is to be given effect in the voter's order of preferences in respect of the remaining candidates.

These formality rules have been prepared to ensure formality requirements can be applied consistently with the Regulations for elections where the name of a retired or deceased candidate appears on the ballot paper.
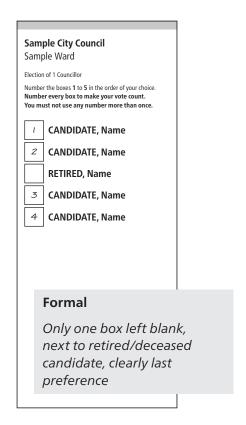
Formality rules

1	Ballot papers must have all boxes numbered using the full sequence of numbers (starting with 1) indicated on the ballot paper to be considered formal.
2R	The only exceptions are where: • one box is left blank and would logically have contained the last number (such as where there are 5 candidates, including a retired/deceased candidate, and the number 5 is the only missing number). The box that is left blank could be the box next to the name of the retired/deceased candidate • the box next to the retired/deceased candidate's name is crossed out or contains a non-numerical marking, which should be ignored • 2 boxes are left blank and one of the boxes is next to the name of the retired/deceased candidate and logically the second box against another candidate would have contained the last number (such as when there are 4 remaining candidates and the number 4 is the only missing number) • any other exceptions outlined in this document in relation to retired/deceased candidates.

3R	Ballot papers must have a number 1 in, adjacent to, or level with, one box to be considered formal – this can be adjacent to, or level with the box next to the retired/deceased candidate's name.
4	Numbers next to names are acceptable providing the voter's intention is clear.
5	Amendments are acceptable providing the voter's intention is clear. All other marks are to be ignored.
6	Unconventional but recognisable numbers, such as continental 1s and 7s and roman numerals are acceptable.
7	Numbers may be spelled out (for example one, two, three, etc.), but only in English.
8R	Damaged ballot papers are formal if the voter had access to all candidate information on the ballot paper when recording their preferences (including the retired/deceased candidate).
9	Poorly formed numbers must be considered in the context of the whole ballot paper and are acceptable if they can reasonably be construed as numbers in the sequence.
10R	More than one blank box next to remaining candidates (i.e. any candidates other than the retired/deceased candidate) makes the ballot paper informal.
11	A number missing from the sequence makes the ballot paper informal.
12	A number other than the last number in the sequence missing makes the ballot paper informal.
13R	A duplicated number makes the ballot paper informal, unless one of the duplicates is next to the name of the retired/deceased candidate, and ignoring the marking leaves a complete sequence.
14R	If the number '0' (zero) is included, the ballot paper is informal, unless the '0' is next to the name of the retired/deceased candidate and can be ignored.
15R	Ticks, crosses, As and Bs, etc., are not acceptable as indicators of preference and make the ballot paper informal, except when the marking is only in the box next to the name of the retired/deceased candidate and can be ignored.
16	Damaged ballot papers are informal if any candidate information or preferences are not visible, except where rule 8R applies.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
3	**RETIRED, Name**
4	**CANDIDATE, Name**
5	**CANDIDATE, Name**

Formal

The numbers are consecutive, starting at 1

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
	RETIRED, Name
3	**CANDIDATE, Name**
4	**CANDIDATE, Name**

Formal

Only one box left blank, next to retired/deceased candidate, clearly last preference

1. All boxes should be numbered using the full sequence of numbers as indicated on the ballot paper.

2R. The only exceptions are where:

- one box is left blank and would logically have contained the last number (such as where there are 5 candidates, including a retired/deceased candidate, and the number 5 is the only missing number). The box that is left blank could be the box next to the name of the retired/ deceased candidate

- the box next to the retired/deceased candidate's name is crossed out or contains a non-numerical marking, which should be ignored

- 2 boxes are left blank and one of the boxes is next to the name of the retired/ deceased candidate and logically the second box against another candidate would have contained the last number (such as when there are 4 remaining candidates and the number 4 is the only missing number)

- any other exceptions outlined in this document in relation to retired/deceased candidates.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
3	**RETIRED, Name**
4	**CANDIDATE, Name**
	CANDIDATE, Name

Formal

Only one box left blank, clearly last preference

2R.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
	RETIRED, Name
3	**CANDIDATE, Name**
	CANDIDATE, Name

Formal

One box left blank next to retired/deceased candidate, other box left blank would contain last preference

2R.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
	~~**RETIRED, Name**~~
3	**CANDIDATE, Name**
4	**CANDIDATE, Name**

Formal

Only one box without a number, next to retired/deceased candidate, clearly last preference, crossing out of candidate name ignored

2R.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
1	**RETIRED, Name**
4	**CANDIDATE, Name**
5	**CANDIDATE, Name**

Formal

Number 1 can be against retired/deceased candidate

3R.   Ballot papers must have a number 1 in, adjacent to, or level with, one box to be considered formal – this can be adjacent to, or level with the box next to the retired/ deceased candidate's name.
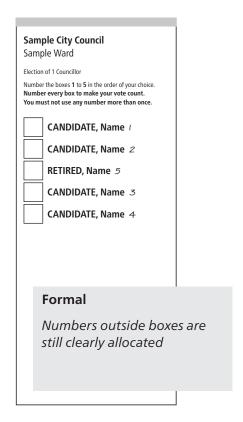
Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
5	**RETIRED, Name**
3	**CANDIDATE, Name**
4	**CANDIDATE, Name**

Formal

Numbers outside boxes are still clearly allocated

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

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** in the order of your choice.
Number every box to make your vote count.
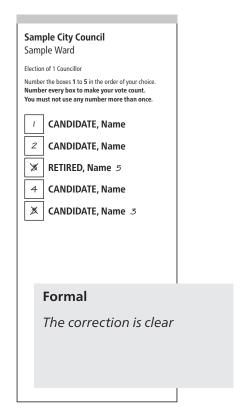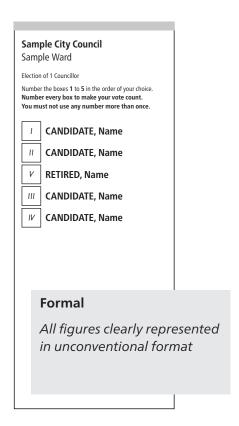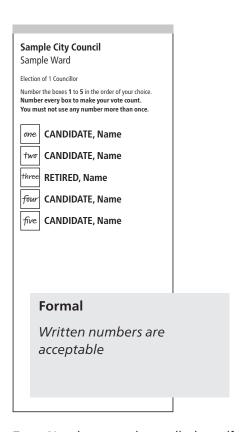**You must not use any number more than once.**

1	**CANDIDATE, Name**
2	**CANDIDATE, Name**
⌧	**RETIRED, Name** *5*
4	**CANDIDATE, Name**
⌧	**CANDIDATE, Name** *3*

Formal

The correction is clear

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

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** in the order of your choice.
Number every box to make your vote count.
You must not use any number more than once.

I	**CANDIDATE, Name**
II	**CANDIDATE, Name**
V	**RETIRED, Name**
III	**CANDIDATE, Name**
IV	**CANDIDATE, Name**

Formal

All figures clearly represented in unconventional format

6. Unconventional but recognisable numbers, such as continental 1s and 7s and roman numerals are acceptable.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
two	**CANDIDATE, Name**
three	**RETIRED, Name**
four	**CANDIDATE, Name**
five	**CANDIDATE, Name**

Formal

Written numbers are acceptable

7. Numbers may be spelled out (for example one, two, three, etc.), but only in English.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
3	**CANDIDATE, Name**
4	**CANDIDATE, Name**
5	**RETIRED, Name**

Informal

Candidate information is missing

8R.   Damaged ballot papers are formal if the voter had access to all candidate information on the ballot paper when recording their preferences (including the retired/deceased candidate).

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
3	**RETIRED, Name**
4	**CANDIDATE, Name**
5	**CANDIDATE, Name**

Formal

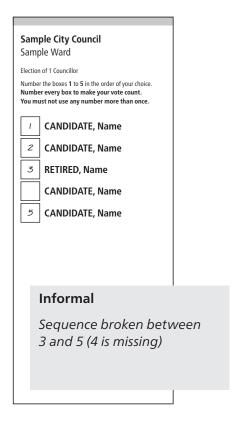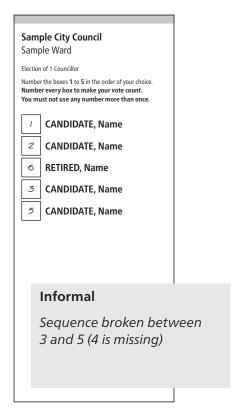*Numbers can be determined taking the whole ballot paper into account*

9.   Poorly formed numbers must be considered in the context of the whole ballot paper and are acceptable if they can reasonably be construed as numbers in the sequence.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
	RETIRED, Name
	CANDIDATE, Name
	CANDIDATE, Name

Informal

Numbers in the third, fourth and fifth boxes are not distinguishable

9.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
	CANDIDATE, Name
2	**RETIRED, Name**
3	**CANDIDATE, Name**
	CANDIDATE, Name

Informal

More than one box left blank next to remaining candidates
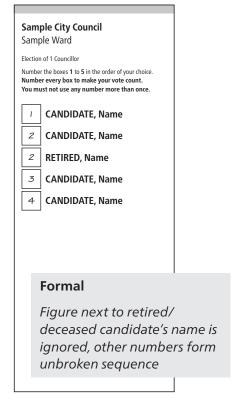
10R.   More than one blank box next to remaining candidates (i.e. any candidates other than the retired/deceased candidate) makes the ballot paper informal.
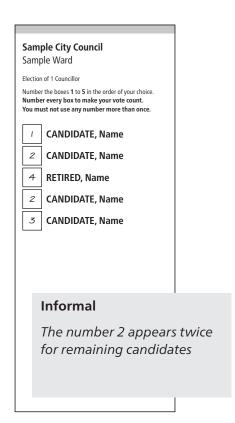
Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
3	**RETIRED, Name**
	CANDIDATE, Name
5	**CANDIDATE, Name**

Informal

Sequence broken between 3 and 5 (4 is missing)

11.　A number missing from the sequence makes the ballot paper informal.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
6	**RETIRED, Name**
3	**CANDIDATE, Name**
5	**CANDIDATE, Name**

Informal

Sequence broken between 3 and 5 (4 is missing)

12.　A number other than the last number in the sequence missing makes the ballot paper informal.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
2	**RETIRED, Name**
3	**CANDIDATE, Name**
4	**CANDIDATE, Name**

Formal

Figure next to retired/ deceased candidate's name is ignored, other numbers form unbroken sequence

13R.　A duplicated number makes the ballot paper informal, unless one of the duplicates is next to the name of the retired/deceased candidate, and ignoring the marking leaves an unbroken sequence.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
4	**RETIRED, Name**
2	**CANDIDATE, Name**
3	**CANDIDATE, Name**

Informal

The number 2 appears twice for remaining candidates

13R.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
2	**RETIRED, Name**
3	**CANDIDATE, Name**
	CANDIDATE, Name

Formal

Figure next to retired/deceased candidate's name is ignored, only one box left blank to contain last preference

2R and 13R.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
0	**RETIRED, Name**
3	**CANDIDATE, Name**
4	**CANDIDATE, Name**

Formal

Figure next to retired/ deceased candidate's name is ignored, other numbers form unbroken sequence

14R. If the number '0' (zero) is included, the ballot paper is informal, unless the '0' is next to the name of the retired/deceased candidate and can be ignored.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** in the order of your choice.
Number every box to make your vote count.
You must not use any number more than once.

0	**CANDIDATE, Name**
1	**CANDIDATE, Name**
2	**RETIRED, Name**
3	**CANDIDATE, Name**
4	**CANDIDATE, Name**

Informal

Zero (0) is not permitted in sequence against remaining candidates

14R.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
0	**RETIRED, Name**
3	**CANDIDATE, Name**
	CANDIDATE, Name

Formal

Figure next to retired/ deceased candidate's name is ignored, blank box clearly last preference

2R and 14R.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
3	**RETIRED, Name**
4	**CANDIDATE, Name**
5	**CANDIDATE, Name**

Informal

No number '1'

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
1	**CANDIDATE, Name**
×	**RETIRED, Name**
×	**CANDIDATE, Name**
×	**CANDIDATE, Name**

Informal

Sequence stops after number '1'preference

15R. Ticks, crosses, As and Bs, etc., are not acceptable as indicators of preference and make the ballot paper informal, except when the marking is only in the box next to the name of the retired/ deceased candidate and can be ignored.

15R.

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
✓	**RETIRED, Name**
3	**CANDIDATE, Name**
4	**CANDIDATE, Name**

Formal

Figure next to retired/ deceased candidate's name is ignored, other numbers form unbroken sequence

Sample City Council
Sample Ward

Election of 1 Councillor

Number the boxes **1** to **5** 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**
2	**CANDIDATE, Name**
✓	**RETIRED, Name**
3	**CANDIDATE, Name**
	CANDIDATE, Name

Formal

Figure next to retired/ deceased candidate's name is ignored, blank box clearly last preference

15R.

2R and 15R.