

Voters Roll

Local Government postal elections 2020

Information Series



Acknowledgement of Country

The VEC pays respect to Victoria's traditional owners and their elders past and present who have been custodians of this country for many thousands of years. Their living culture and their role in the life of Victoria is acknowledged by the VEC.

Version history

Subject matter expert	Date received	Date returned
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Introduction to the voters' roll

The voters' roll for a council election is produced by combining two separate lists of voters: the Victorian Electoral Commissioner's (EC's) List of State electors; and the Chief Executive Officer's (CEO's) List of council-entitled voters. Those who are council-entitled to enrol are:

- non-resident property owners, such as those with a holiday house or investment property in the area.
- non-Australian residents who live and pay rates in the area.
- shop tenants and other property occupiers who are liable to pay rates on the property they occupy.
- directors or company secretaries of corporations that pay rates in the council area but don't live there.

These categories are explained in more detail later in this booklet.

The *Local Government Act 2020* (the Act) has introduced changes to council entitlements for this year's local government elections. Voters are automatically enrolled by their council for this election if they were enrolled as a non-resident owner at the most recent election for their council. This includes any by-elections held since the last general election.

Voters can only receive one entitlement per council, regardless of how many properties they own or occupy.

To be eligible to vote, a voter must be on the voters' roll before the close of the roll. The close of the roll was 57 days before election day; 4pm, 28 August 2020.

Applications for the CEO's List for non-resident owners received by the close of the roll were valid for this year's council elections and will not expire. Other applications for enrolment on the CEO's list do expire – see the section Chief Executive Officer's List for more details.

The EC's List for council is, on average across the State, about 85% of the complete voters' roll, the remainder being the CEO's List. In some wards of councils that are popular holiday areas, the CEO's List can be as high as 72% of the ward roll.

Note that this booklet is not relevant to the City of Melbourne, which has its own legislation and is responsible for its voters' roll.

Is it compulsory to vote?

Voting is compulsory for people on the EC's List.

People enrolled on the CEO's List are encouraged to vote in council elections, but it is not compulsory **except for the City of Melbourne** where everyone on the EC's List and CEO's List is required to vote.

Electoral Commissioner's List

To be eligible to enrol on the Electoral Commissioner's (EC's) List (Victorian State roll), a person must:

- be at least 17 years old (but only voters who are at least 18 years old on election day will be included on the EC's List for that election); and
- be an Australian citizen (or an eligible British subject who was on a State or Federal roll at any time during the three months before 26 January 1984); and
- be enrolled at an address within the council boundaries at the close of the roll; and
- have lived at their address for at least one month.

Chief Executive Officer's List

All applications to be on the Chief Executive Officer' (CEO's) List must have reached council by the close of the roll; 4.00 pm, 28 August 2020. The applicant must be at least 18 years old on election day and must not be on the EC's List for that council. If the CEO considers that the applicant is not entitled to be enrolled, the CEO must advise them in writing of the reasons for not enrolling them.

To be on the CEO's List, a person must either be an automatically enrolled non-resident owner or must apply under one of the application categories. Non-resident owners who are automatically enrolled cannot apply to be enrolled under a different CEO's List category.

The Act introduces a change to the number of CEO List entitlements that can be held per rateable property.

Under the Act (section 240(5)) there can be, per rateable property:

- Up to two joint owners, and
- Up to two joint occupiers.

Non-resident owners

People who do not live in the council area but own rateable land in that council area are automatically entitled to be on the CEO's List, provided they were enrolled as non-resident owners of that property on the last voters' roll for that council. All other non-resident ratepayers, including non-citizens and non-resident ratepayers who were not on the last voters' roll, must apply.

Resident owners not automatically enrolled – apply to enrol

A person who lives in the council area and pays rates on property in the council area and is not on the EC's List (e.g. non-citizen) is entitled to be enrolled by application to council.

Occupiers who are liable to pay rates – apply to enrol

Occupiers of property who are liable to pay the rates may apply.

Appointees of corporations – apply to enrol

A corporation which owns or occupies, solely or jointly, any rateable property in a council area – and is liable to pay the rates – may appoint a person to represent it on the voters' roll.

A corporation appointee must be a director or company secretary (however styled), at least 18 years old on election day, with no other entitlement or appointment within the council area. They must consent to the appointment in writing. Only one appointee is allowed.

A corporation may only exercise a right of entitlement once per council, regardless of how many properties it owns or occupies.

An appointment is revoked if:

- the appointee ceases to be a director or company secretary
- the appointee dies
- the appointee delivers a notice of resignation as a nominee to the council
- the appointee becomes entitled in their own right to be enrolled in the council area
- the corporation delivers a notice of revocation of appointment to the council
- the corporation ceases to be entitled to appoint a representative.

Municipal voters' roll summary of voting entitlements

Electoral Commissioner's list

VEC PROVIDES DATA

- Automatically entitled if on the State roll in the council area
- Enrolment does not expire

Chief Executive Officer's list

COUNCIL PROVIDES DATA

Non-resident owner	Resident owner	Occupier	Corporation owner /occupier
<ul style="list-style-type: none"> • 18 years + • Automatically enrolled if on last voters' roll • Must apply if not on last voters' roll. 	<ul style="list-style-type: none"> • Non-citizen resident owner(s) • 18 years + • Must apply 	<ul style="list-style-type: none"> • Liable for rates • 18 years + • Must apply 	<ul style="list-style-type: none"> • Liable for rates • May apply to appoint voting representative • Director or Company Secretary • 18 years +

All **applications** must have reached council by 4.00 pm on close of the roll, Friday 28 August 2020. They must be from persons who have no other entitlement in a council area. Applications received from non-resident ratepayers before the close of roll or after the close of roll pursuant to s242 of the *Local Government Act 2020* (Vic) do not expire. All other applications expire after the election.

