

Melbourne City Council elections 2024

Candidate handbook

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Glossary

Election personnel

Candidate	A person who has nominated to contest an election.
Chief executive officer (CEO)	The person appointed under the <i>Local Government Act 2020</i> (Vic) by a council to be its chief executive officer or any person acting in that position.
Councillor	A person who holds the office of member of a council, including the lord mayor and deputy lord mayor.
Electoral Commissioner	The statutory officer appointed by the Governor-in-Council with responsibility for the proper conduct of parliamentary and local council elections.
Election manager	The person appointed by the Electoral Commissioner to be responsible for the administration of a council election.
Election official	A person appointed by the VEC to work at an election.
Scrutineer	A person appointed by a candidate to represent the candidate during electoral activities and make sure the election is conducted according to the law.

Election terms

Above-the-line	Voting above the line is when a voter puts a preference in a box for a group above the line on the councillor election ballot paper.
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Ballot pack	<p>For the Melbourne City Council elections, the VEC mails each voter an envelope with all the ballot materials the voter needs. At a general election, it includes:</p> <ul style="list-style-type: none"> • 2 ballot papers, one for the leadership team election and one for the councillor election • a booklet containing: <ul style="list-style-type: none"> – leadership team election statements, photographs, indications of preferences and voting instructions in multiple languages – councillor election group statements, ungrouped candidate statements, photographs, ungrouped candidate indications of preferences, group voting tickets and voting instructions in multiple languages • a ballot paper envelope with a detachable declaration flap the voter must sign • a reply-paid envelope to post the sealed ballot paper envelope in.
Ballot paper	The official paper listing the names of all the candidates and teams or groups contesting the election on which the voter records their preferences for each candidate, team or group in the election.
Ballot paper envelope	The envelope the voter puts their completed ballot papers in. The envelope includes a detachable flap containing the name and address of the voter. The voter is required to sign a declaration on the flap.
Below-the-line	Voting below the line is when a voter preferences individual candidates in boxes below the line on the councillor election ballot paper.
Body corporate/ corporation	A person, association or group of people legally incorporated in a corporation as registered with ASIC. A body corporate has either an Australian Business Number (ABN) or Australian Company Number (CAN).
By-election	An election to fill an extraordinary vacancy on a council.
Candidate questionnaire	A prescribed non-compulsory questionnaire candidates can complete which is posted on the VEC website.
Chief executive officer's (CEO's) list	The list of people who are entitled, and have applied, to vote in a council election where they are not a State-enrolled elector (such as owners of rateable property that is not their primary residence). This list is maintained by the council.
City of Melbourne Act	The <i>City of Melbourne Act 2001 (Vic)</i> .
City of Melbourne Regulations	The <i>City of Melbourne (Electoral) Regulations 2022 (Vic)</i> .

Close of roll	The last date people can apply to be enrolled or update their enrolment for the voters' roll.
Computer count	The electronic counting of votes after ballot paper preferences are manually entered by an election official.
Council	A local government authority as defined and set out in the Local Government Act. There are 79 councils in Victoria.
Councillor election	The election of 9 councillors to the Melbourne City Council.
Countback	The method used to fill an extraordinary vacancy in a multi-councillor ward or unsubdivided council until there are no more candidates left. If an extraordinary vacancy occurs when there are no candidates remaining, a by-election will be held.
Election day	<p>The day of an election, fixed under the Local Government Act. For elections held entirely by postal voting, there is no voting on election day.</p> <p>Election day for the 2024 local council elections is Saturday 26 October.</p>
Election Management System (EMS)	The VEC's computerised election management system. EMS is used by election managers to capture election data such as nominations, statements, questionnaires, and photographs. Results data is also entered directly into EMS.
Election office	The location where the election manager conducts the election. There is one election office for each council's election. Details of each election office will be on the VEC website at vec.vic.gov.au and in election advertisements.
Election period	The 39-day period that starts when nominations close and ends at 6 pm on election day.
Electoral material	Any advertisement, handbill/flyer, pamphlet or notice that contains electoral matter. This does not include newspaper advertisements announcing the holding of a meeting.
Electoral matter	<p>Anything intended to (or likely to) affect voting in an election including express or implicit references to, or comment on:</p> <ul style="list-style-type: none"> • the election or • a candidate in the election or • an issue submitted to, or otherwise before, the voters in connection with the election. <p>It does not include any electoral material produced by or on behalf of the election manager to help in conducting an election.</p>

Electoral offences	Electoral offences include, but are not limited to: <ul style="list-style-type: none"> • bribery in its various forms • multiple voting in a single election • intimidation of a voter or interference with a voter's political liberty • unlawful opening of ballot material • violation of secrecy of the vote by a person present when a voter casts their vote.
Extraordinary vacancy	An extraordinary vacancy occurs when a councillor ceases to hold the office of councillor. This may be due to resignation, death, or other reasons.
Group voting ticket	A statement setting out how a group of candidates for the councillor election gives preferences to all candidates in that election. Group voting tickets apply to ballot papers marked above the line. Each group of candidates must submit a minimum of 1 and a maximum of 2 group voting tickets.
Grouped candidate	A candidate for the councillor election who has formed a group with one or more other candidates in the election. Groups are listed above the line on the ballot paper.
Indication of preferences	A statement setting out a candidate's preferred order of voting. Leadership team election candidates and ungrouped councillor election candidates may submit an indication of preferences to be included in the postal ballot pack.
Leadership team	The lord mayor and deputy lord mayor.
Local Government Act	The <i>Local Government Act 2020</i> (Vic).
Local Government Inspectorate (LGI)	The Local Government Inspectorate (LGI) investigates alleged offences under the Local Government Act, including electoral offences. LGI's role in elections is to receive, assess and investigate offences related to electoral provisions of the Local Government Act. This may involve candidates, community groups and voters.
Local Government Regulations	The <i>Local Government (Electoral) Regulations 2020</i> (Vic) and amending legislation.
Melbourne City Council	The council governing the City of Melbourne local government area, made up of the lord mayor, deputy lord mayor and 9 councillors.
Municipality	An area defined under legislation which is administered exclusively by a single council for the purposes of the Local Government Act.
Newspaper leading article	A principal editorial article in a newspaper (also known as a leader).
Nomination	The process by which a person becomes a candidate at an election.

Nomination day	The last day a person can lodge their <i>Nomination form</i> with the election manager.
Nomination form	The form that a person must complete and lodge in the presence of the election manager to become a candidate. The content of the form is defined in regulation 24 of the Local Government Regulations (councillor election) and regulation 19 of the City of Melbourne Regulations (leadership team election).
Nomination period	The period during which a person can lodge their <i>Nomination form</i> . It begins at 9 am the day the voters' roll is certified and ends at 12 noon on nomination day.
Notice of election	A public notice of the election and call for nominations. It must be published no less than 50 days before election day.
Publish	To publish by any means including print, audio-visual or electronic.
Recount	A re-examination and count of one or more parcels of ballot papers by an election manager before the declaration of the result.
Statement	A team statement, group statement or candidate statement that is provided to voters as part of the ballot pack. It includes the statement text and candidate photograph(s).
Ungrouped candidate	A councillor election candidate who has not formed a group. Ungrouped candidates are only listed below the line on the ballot paper.
Unsubdivided council	A council not divided into wards.
Victorian Civil and Administrative Tribunal (VCAT)	The body empowered to hear appeals against administrative decisions made by certain agencies, including the VEC. VCAT also hears disputes for local council elections under the Local Government Act.
Victorian Electoral Commission (VEC)	The Victorian Electoral Commission (VEC) is responsible for the conduct of parliamentary and local council elections in Victoria. The Electoral Commissioner is the head of the VEC.
Voter	A person enrolled to vote at a local council election.
Voters' roll	A list of the names and addresses of people who can vote in the election. The certified voters' roll is a merger of the CEO's list provided by council with the Electoral Commissioner's list of State electors in that council area. A voters' roll is created for each individual election.
Ward	A subdivision of a council. In subdivided councils, councillors are elected to represent each ward.

Election timelines

The local council elections timeline is defined in the *Local Government Act 2020* (Vic) (Local Government Act) and the *Local Government (Electoral) Regulations 2020* (Vic) (Local Government Regulations).

The election timeline is on the VEC website at vec.vic.gov.au

Please be aware that the election timeline for the 2024 local council elections has changed. The *Local Government Amendment (Governance and Integrity) Act 2024* (Vic) amended the date for the close of roll for the election. Moving this date earlier allowed for other key dates to be amended through changes to the Local Government Regulations and City of Melbourne (Electoral) Regulations 2022 (Vic) (City of Melbourne Regulations). Some of these changes impact candidates.

Dates and other information in the *Melbourne City Council elections 2024 Candidate handbook* have been updated to reflect these changes. Please read the handbook carefully to make sure you are aware of the changes.

Introduction

This handbook is for anyone who wishes to nominate as a candidate in the Melbourne City Council general election. The Victorian Electoral Commission (VEC) administers this election and has produced this resource.

The handbook outlines the electoral law that directly relates to candidates. It is not a substitute for the law and should be read in conjunction with the Local Government Act and the Local Government Regulations, as well as the law specific to Melbourne City Council elections in the *City of Melbourne Act 2001 (Vic)* (City of Melbourne Act) and the City of Melbourne Regulations. You can access current Victorian legislation at legislation.vic.gov.au

We strongly encourage you to make an appointment with the Melbourne City Council election manager early in the nomination period. You can book your nomination appointment by calling the VEC's Candidate Services team from 20 August or the election office directly from Monday 9 September 2024.

The Candidate Services team can also help you to use our Candidate Helper tool. Candidate Helper is available online at vec.vic.gov.au to pre-complete your nomination, statement, photograph and questionnaire lodgement forms. To save you time, we strongly encourage you to use the Candidate Helper to prepare your forms and lodge them together at one appointment.

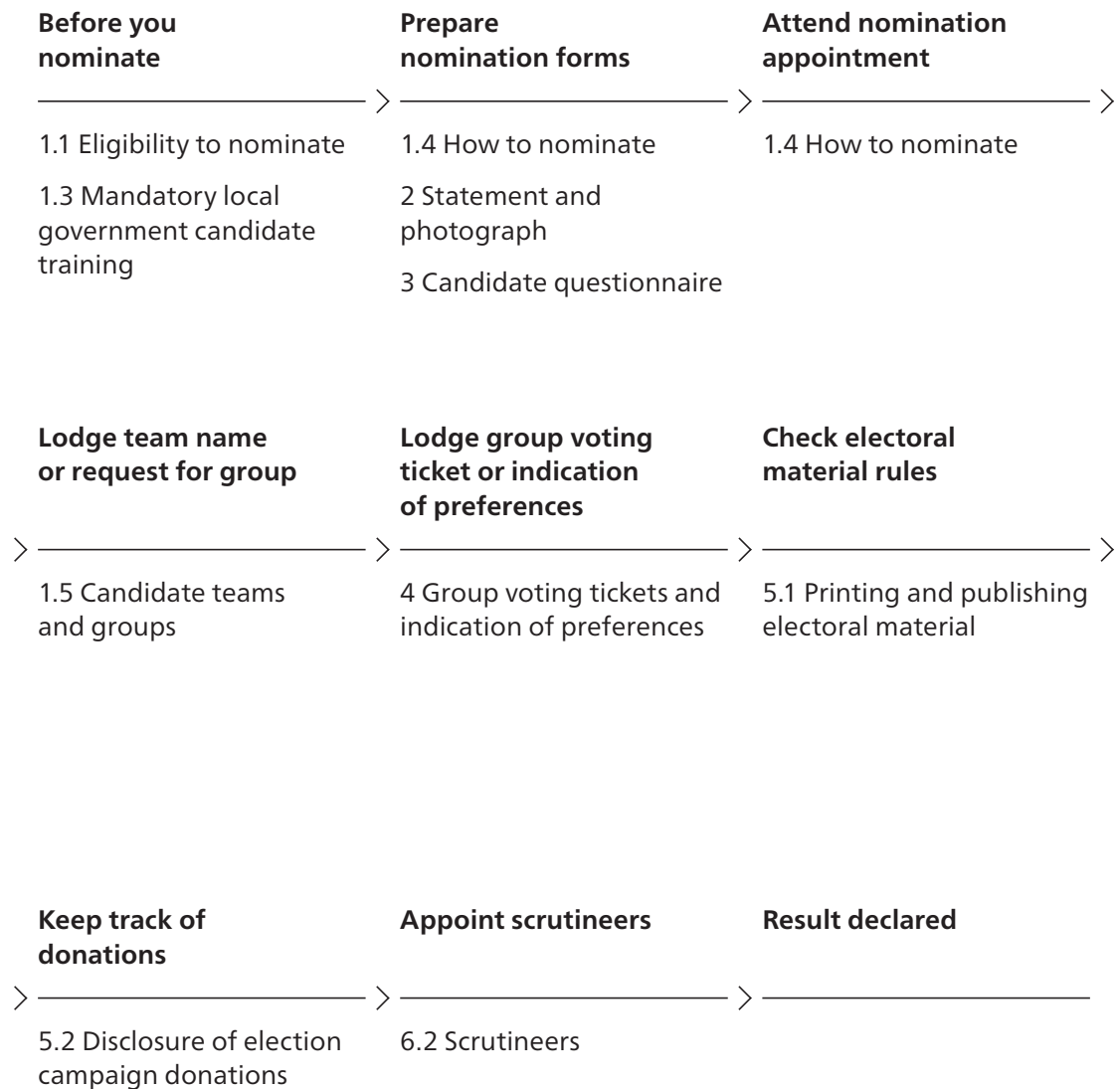
Councils may choose to hold an information session for anyone wishing to nominate in the 2024 elections. A series of videos that cover the same information will also be available on the VEC website at vec.vic.gov.au/candidates-and-parties/becoming-a-local-council-candidate. A *Candidate information kit* with important handbooks and forms for you and your scrutineers will be available online at vec.vic.gov.au and from the election office.

Please remember that while the VEC will provide you information on how to become a candidate, we cannot provide legal advice. We encourage you to seek independent legal advice on your position, eligibility, and other relevant matters.

It is your responsibility to make sure you comply with all electoral law.

The Melbourne City Council election timelines are on the VEC website at vec.vic.gov.au/voting/2024-local-council-elections

Candidate timeline



1. Nominating as a candidate

Overview

The chapter explains the eligibility requirements all Melbourne City Council election candidates must meet and has information on how to nominate, including how to prepare your *Nomination form* using Candidate Helper.

Melbourne City Council general elections involve an election of the leadership team (made up of the lord mayor and deputy lord mayor), and an election of 9 councillors.

1.1 Eligibility to nominate

Please read sections 34 and 256 of the Local Government Act and sections 9 to 9E of the City of Melbourne Act for more detail on candidate eligibility. We strongly encourage you to do this before completing your nomination form. It is your responsibility to make sure you are qualified to be a candidate. Seek legal advice if you are unsure.

 Note: Enrolment entitlement for Melbourne City Council is different to other Victorian councils.

Qualifications

You are eligible to nominate as a candidate if you are:

- 18 years or older
- an Australian citizen
- enrolled on the voters' roll for the council you wish to nominate in
- not disqualified from being a councillor (see [Disqualifications](#)).

British subjects who were on an Australian electoral roll between 26 October 1983 and 26 January 1984 are also eligible to nominate.

You must complete the mandatory Local Government Candidate Training before submitting your nomination form. This training is provided by Local Government Victoria (LGV) and not the VEC. You can find more information at localgovernment.vic.gov.au/council-governance/candidate-training

If you are not eligible to nominate or have not completed the mandatory training, the election manager must reject your nomination.

Disqualifications

You cannot nominate as a local council candidate or become a councillor (including lord mayor or deputy lord mayor) if you:

- are a member of an Australian Parliament, including the Federal Parliament or a Parliament of a state or territory of the Commonwealth of Australia
- are employed as a ministerial officer, parliamentary adviser or an electorate officer (however designated) by a member of an Australian Parliament. This includes Federal Parliament or a Parliament of a state or territory of the Commonwealth of Australia (unless you have taken leave from that office or position for the election period)
- are a councillor of another council, including interstate councils
- are a member of council staff of the council (unless you have taken leave from that office or position for the election period)
- are an undischarged bankrupt
- have property that is subject to control under the law relating to bankruptcy
- have been convicted of any of the offences referred to in section 34(2) of the Local Government Act
- are currently disqualified for any of the reasons referred to in the Local Government Act, or
- are otherwise incapable of becoming or continuing to be a councillor.

1.2 Enrolment conditions

To nominate for the Melbourne City Council election, you must be on the voters' roll for Melbourne City Council. You can join the council roll in 2 different ways: by being on the State roll (referred to as a state-enrolled voter) or the Chief Executive Officer's list (CEO's list) of Melbourne City Council (referred to as a council-enrolled voter).

State-enrolled voters are eligible to vote in Victorian State elections and local council elections. Enrolment on the CEO's list is a special enrolment category that only applies at local council elections.

Make sure your enrolment details are up to date before you begin the nomination process. You must be correctly enrolled before the close of roll. Late enrolment changes cannot be accepted.

This section explains who can be on the roll for a Melbourne City Council election. This includes voters who are not Australian citizens. However, only Australian citizens and qualified British subjects who are on the council roll may nominate for election.

Who can enrol (state-enrolled voters)

You must enrol to vote if you:

- are an Australian citizen
- are 18 years or older, and
- have lived in Victoria for longer than a month.

Who can apply to enrol (council-enrolled voters)

Each council maintains a CEO's list. This list is made up of voters with additional enrolment entitlements. We refer to these people as council-enrolled voters.

The 2 types of council enrolment for Melbourne City Council are automatic and by application.

You will be automatically enrolled if you:

- are 18 years or older
- own and pay rates on a property within the City of Melbourne, and live in another local government area in Victoria or another Australian state or territory
- are a director or company secretary of a company that owns or pays rates on a property within the City of Melbourne and you are deemed to be enrolled by Melbourne City Council.

If you meet all these conditions and you, or the company you represent, are not already enrolled in Melbourne City Council, you will be automatically enrolled.

You can apply to enrol if you:

- are 18 years or older
- are not a State-enrolled voter for Melbourne City Council
- meet one of the following conditions:
 - you own or occupy a property that contributes rates to Melbourne City Council, including if you are not an Australian citizen. This includes anyone who rents a home or business space in the City of Melbourne local government area
 - you own and pay rates on a property in the City of Melbourne and live overseas
 - you are a director or company secretary of a company that owns or occupies a property that contributes rates within the City of Melbourne.

If you are eligible to apply to be enrolled, you can apply directly to Melbourne City Council before the close of roll. The VEC does not manage the Melbourne City Council CEO's list and cannot add anyone to it.

If you would like more information, visit the Melbourne City Council website at elections.melbourne.vic.gov.au

If you're not sure which council you are entitled to enrol in you can look up your entitlement address on the VEC website at vec.vic.gov.au/electoral-boundaries/which-boundaries-cover-where-i-live

It is compulsory for all enrolled voters to vote.

Entitlement limitations

If you are a State-enrolled voter in Melbourne City Council, you cannot join the CEO's list. This is regardless of any additional entitlements you may hold.

Limits on council enrolment

For council entitlements, a maximum of 2 owners and 2 occupiers can be council-enrolled for any one property.

You should contact Melbourne City Council with any questions about your CEO's list eligibility or visit the Melbourne City Council website at elections.melbourne.vic.gov.au

How to enrol

To enrol, or check or update your state enrolment, visit the VEC website at vec.vic.gov.au/enrolment. You must enrol, or update your enrolment, before the close of roll.

To apply for Melbourne City Council enrolment, you must contact Melbourne City Council directly and apply before the close of roll. Council contact details can be found on the Melbourne City Council website at elections.melbourne.vic.gov.au

1.3 Mandatory local government candidate training

All local council candidates must complete the Local Government Victoria (LGV) local government candidate training. This training is required even if you are currently or have already been a councillor.

You must provide the time and date you completed the training when submitting your nomination form. Training must be completed within 2 years before the election day for the election in order to be valid, so you can complete this in advance.

If you have not completed this training, you are not eligible to nominate as a candidate.

For more information on this mandatory training, contact Local Government Victoria or visit the Local Government Victoria website at localgovernment.vic.gov.au

1.4 How to nominate

To nominate, you must complete and lodge a *Nomination form*. You can prepare your nomination form:

- online using our Candidate Helper tool – this is the fastest and easiest way to complete your *Nomination form*
- by picking up a hard-copy form from the election office.


You must lodge your nomination form by appointment with the Melbourne City Council election manager.

You can book your nomination appointment by calling the VEC's Candidate Services team from Tuesday 20 August or the election office directly from Monday 9 September 2024. Phone numbers for the election office will be listed on the VEC website.

If you are nominating as a candidate for the leadership team election, you must nominate for either lord mayor or deputy mayor, and form a team with another candidate who is nominating for the other position. You can complete your section of the *Nomination form* separately, but must attend your joint nomination appointment and submit your forms together in person.

If you are nominating as a candidate for the councillor election, you must complete and lodge the *Nomination form* individually, even if you intend to form a group with one or more other candidates for the election.

If you do not make an appointment, you may have a significant wait for an election official to be available to process your nomination. We highly recommend booking an appointment to avoid delays. We encourage you to make a single appointment to lodge your nomination, statement text and photograph, and questionnaire together. This is the most efficient option.

 You must lodge your *Nomination form* by 12 noon on Tuesday 17 September 2024.

Late nominations cannot be accepted.

You can use the checklist in [Appendix 2. Nomination checklist](#) to help you prepare and lodge your nomination.

Candidate Helper

The online Candidate Helper tool guides candidates through each part of the *Nomination form*, as well as your team, group or candidate statement, and candidate photograph and questionnaire.

A link to Candidate Helper will be available on the VEC website 2–3 weeks before the opening of nominations.

When you have entered all your details you can save your information and generate a pre-completed *Nomination form* to print. You must print your *Nomination form* before your nomination appointment. You will not be able to use any printers at the election office.

To use Candidate Helper, you will need to create an account with your email address and a password. You can save your nomination, statement, photograph and questionnaire progress and return by logging into your Candidate Helper account.

Candidate Helper includes a 'Help' page you can refer to if you have any difficulties. You can also telephone the Candidate Services team on 03 8620 1316 for further assistance if needed. The Candidate Services team may also contact you if you start filling out a *Nomination form* and do not complete it.

Using Candidate Helper does not submit and approve your nomination. You must still attend an appointment with the election manager at the election office with your completed nomination form and nomination fee.

Paper *Nomination forms*

You can get a paper *Nomination form* in the *Candidate information kit* from us before the nomination period begins. Contact the Candidate Services team on 03 8620 1316 to request a *Candidate information kit*.

You can also pick up a *Candidate information kit* from the election office after it opens on Monday 9 September 2024.

Forms completed by hand are entered into our Election Management System during your nomination appointment. Because of this there may be a significant wait time if you nominate with a hand-written form, especially on the final day of nominations.

Completing the *Nomination form*

When you nominate you must provide:

- your full name
- the address at which you are enrolled
- your residential and postal addresses (if different from enrolled address).

If you have changed your name from the name that appears on the voters' roll, you must attach evidence of the change of name to your *Nomination form*.

You can only nominate for one office in the leadership team (either lord mayor or deputy lord mayor) or for the councillor election. If you nominate as a candidate in both Melbourne City Council elections, the election manager will only accept the first valid nomination received.

You should carefully check your public contact details before your nomination appointment. Once these details are published on the VEC website it is not possible to make any changes.

You must sign the first page of the *Nomination form* after checking all your details are correct. The signature on the second page is the candidate's declaration and must be signed in the presence of the election manager. If you have already signed this before your nomination appointment, you will need to sign it again.

The election manager will give you an opportunity to confirm your nomination details have been correctly entered into our Election Management System before your nomination is finalised.

Penalties for incorrect nomination information

There are strict penalties for providing false or misleading information or submitting an unlawful nomination. See [7.1 Election offences](#) for detailed information on election offences.

Candidate name on ballot paper

Your name will appear on the ballot paper the way you have listed it on your *Nomination form*. Your family name (surname) must be as it appears on the voters' roll. Acceptable alternatives to your full given names include:

- initials standing for that name. For example, S. Williams instead of Sarah Williams
- a commonly accepted variation of that name, including an abbreviation or an alternative form of that name. For example, Tom instead of Thomas
- a name you are commonly known by, but that is not your legal first name. For example, a middle name. You must provide evidence to the election manager that confirms you are publicly known by this name. The election manager will decide if this alternative name is appropriate.

If you have changed your name from the name that appears on the voters' roll (for example if you change your name after marriage), you must attach evidence of the change of name to your *Nomination form*. The evidence must be a legal document such as a certificate from the Victorian Registry of Births, Deaths and Marriages.

Your name will appear on the ballot paper in the format:

FAMILY NAME, First name

or:

FAMILY NAME, F. Name

or:

FAMILY NAME, F. N.

When specifying how you want your name to appear on the ballot paper, you must:

- print your FAMILY NAME and any INITIALS, in capitals (for example SMITH, T. E.):
 - if the family name normally has any lower-case letters or special characters such as accents, please specify them clearly on the form (for example, McALISTER, van LEW or GLASÉ)
 - make sure any initials include a full stop and a space between each initial if there are more than one (for example, T. E.)
- print your given names in title case (e.g. McALISTER, John P. or de FRIES, Joan Anne).

Except for registered team or group names, no affiliations or allegiances (for example ALP, Liberal, Australian Greens), titles (for example Dr., Prof.), professional memberships (for example FRACP, CPA, MIPAA), qualifications (for example PhD, MA, DipEd), or honours (for example AO, PSM, OBE) are allowed to appear on the ballot paper beside any candidate's name.

Candidate Helper will help you format your name for your *Nomination form*. If your name needs a special character like an accent applied to a letter, you must inform the election manager during your nomination appointment.

Team or group names on the ballot paper

For leadership team election candidates, if you have made a joint request for a team name, it will be listed on the ballot paper next to your names.

For councillor election candidates, if you have made a joint request to be grouped on the ballot paper as a group of two or more, and specified a group name, your group name will appear beside the box above the line. The name of each candidate in your group will appear beside individual boxes below the line. Candidates will be listed below the line in the order specified in your group registration.

Ungrouped candidates will be listed on the ballot paper below the line only. There is no above-the-line box or group name for ungrouped candidates.

See [1.5 Candidate teams and groups](#) for more information.

Candidate not on voters' roll

The election manager must reject your nomination if you cannot be located on the voters' roll for the election. There is no recourse to fix this after the roll has closed.

❗ Important: Make sure your enrolment details are up to date before the close of roll for the election.

Candidate contact details

You must provide at least one method for the VEC to contact you: mobile phone, alternate phone and/or email address. You must designate one of these as your preferred short-notice contact.

If you provide an email address, we will use this for regular communications from the election manager with important updates. We will also use this email address to contact you about accessing the voters' roll.

If you do not provide an email address, you will not be able to access the voters' roll.

Candidate contact person

You may choose to provide a name, telephone number and/or email address that will be published on the VEC website and accessible to the public. The contact person can be you, or you can provide the name and contact details of another person.

If you give the name and contact details of another person, make sure you tell them that their details will be publicly available.

Nomination fee

You must bring your nomination fee of \$250 to your nomination appointment. You must pay this fee in cash or by a cheque drawn on a bank, building society or credit union. The VEC cannot accept online or electronic payments, personal cheques or money orders.

Cheques must be made payable to the Victorian Electoral Commission.

For pairs of candidates nominating to the leadership team election, the total fee for your joint nomination is \$250.

❗ Important: This must be paid in person when you lodge your nomination form. There is no other way to pay this fee.

Lodging your nomination at the election office

When you arrive at the election office for your appointment, a staff member will check that you have your completed *Nomination form* and have brought the nomination fee with you.

Leadership team election candidates are required to lodge their *Nomination forms* with the election manager jointly, and in person.

The election manager will check your *Nomination form* to ensure it is complete. If there are any issues with missing or incorrect information, the election manager will discuss these with you. You must initial any changes you make to your *Nomination form*.

The election manager will enter your *Nomination form* information into our Election Management System and will give you an opportunity to review it to check it is the same as what is on your *Nomination form*.

Once your nomination is confirmed as lodged at the election office, the VEC will conduct further checks. If we identify an issue, we will contact you to ask you to resolve it.

Candidate lodgement record

Appendix 1. Candidate lodgement record is your record of the documents you have submitted to the election manager in your nomination appointment. You may complete and retain the form as evidence of the completed process, but it is not mandatory.

Accessing the voters' roll

After the close of nominations, you may request access to the voters' roll for Melbourne City Council. This is to help you conduct your election campaign. You must provide an email address on your nomination form if you wish to access the voters' roll.

We will give you a copy of the roll using the VEC's secure data exchange server (DEX). We will email you instructions on how to use the data exchange program once the nomination period has ended. You will need to sign a declaration that you understand the roll data must only be used for campaign purposes and that you must not misuse or fail to return or destroy the voters' roll before you receive access.

❗ Important: You must return or destroy the roll you receive and any copies you make of it by 25 November 2024 (within 30 days of election day).

Contact the Candidate Services team on 03 8620 1316 to discuss returning your voters' roll.

There are severe penalties for misusing or failing to return or destroy the voters' roll. See [7.1 Election offences](#) for more details.

List of candidates

A summary of candidates, including the contact details for each candidate, will be updated at the end of each business day during the nomination period. This information will be displayed at the election office and on the VEC website.

Ballot draw

The order that the names of teams in the leadership election and groups and ungrouped candidates in the councillor election appear on the respective ballot paper is determined by a computerised random draw after team names and group registrations close.

The randomness of the computerised draw has been independently audited. More information is available on the VEC website at vec.vic.gov.au/candidates-and-parties/becoming-a-local-council-candidate

In some cases a manual draw may be conducted.

Two ballot draws are held for Melbourne City Council elections:

1. The leadership team election ballot draw determines the order that teams of candidates will appear on the leadership team election ballot paper. Within each team, the name of the candidate for lord mayor will appear above the name of the candidate for deputy lord mayor on the ballot paper.
2. The councillor election ballot draw determines the order that groups are listed above the line and the order that ungrouped candidates are listed below the line on the councillor election ballot paper. Grouped candidates will be listed below the line in the order specified when registering their group.

The election manager will conduct the ballot draws at the election office after team names and group registrations close at 12 noon on Thursday 19 September 2024. We will tell you the time for the ballot draw so you or someone in your campaign can attend.


After the draws, the election manager will give all candidates a report listing the ballot paper order. The report may be used for lodging group voting tickets and indications of preferences. The lists of candidates on the VEC website will also be updated to reflect the ballot paper order.

Nomination fee refund

We will refund your nomination fee if:

- you are declared elected, or
- you or your team or group receive at least 4% of the total formal first preference votes in the election you nominated in.

To request an electronic transfer of funds, you must complete the electronic transfer request form (*Candidate refund of fees*) received from the election manager after nominations have closed.


 You must lodge your completed refund form with the election manager before the close of voting at 6 pm on Friday 25 October 2024.

If you do not complete this form, we will send you a cheque for the refund amount if you are entitled to it. This is a manual process and will take additional time.

We will provide your refund as soon as possible after all elections have been declared. To avoid manual processing delays please complete and lodge the *Candidate refund of fees* form.

Withdrawing your nomination

If you no longer want to stand as a candidate you can withdraw your nomination before the close of nominations. A *Notice of withdrawal* form is available from the election manager.

 This form must be completed and submitted to the election manager before 12 noon on Tuesday 17 September 2024.

If a candidate for either lord mayor or deputy lord mayor withdraws, the nominations of both candidates in the team is withdrawn.

Your nomination fee will not be refunded.

You are allowed to withdraw your nomination from one council or ward to nominate in another council (as long as you are enrolled in that council). You must submit a new *Nomination form* and a new nomination fee to submit a new nomination.

Retirement of a candidate

Retirement from an election occurs when a candidate does not wish to take part in the election and the nomination period has closed. The VEC may also retire candidates if we determine that you are not qualified to be a councillor. You can only retire from an election if:

- your retirement will result in an uncontested election (where the number of candidates is the same as the number of vacancies), or
- after the election manager gives you advice that states you are not qualified to be a councillor, or
- you are not qualified to be a councillor and you provide evidence to support this.

A *Notice of retirement* form is available from the election manager. You must complete and give the signed form to the election manager.

If a candidate retires (or is retired by the VEC) after the close of nominations, but before ballot packs are mailed to voters, the election continues and the VEC will make every effort to have ballot papers reprinted without the name of the retired candidate. If reprinting the ballot papers is not possible, the law gives directions on how to manage any preferences the retired candidate receives. In this situation the VEC will communicate the retirement of the candidate to all stakeholders, including voters and the other candidates, to explain the ballot paper provisions.

If the retirement of a candidate results in an uncontested election (where the number of candidates is the same as the number of vacancies) the remaining candidate(s) will be declared elected.

If a candidate for either for either lord mayor or deputy lord mayor retires, the nominations of both candidates in the team become void on the date the retirement takes effect.

Your nomination fee will not be refunded if you retire.

❗ Important: You must return or destroy any copies of the voters' roll you hold within 30 days of your retirement.

Death of a candidate

If a candidate who has nominated dies before the close of nominations their nomination is void.

If a candidate dies after the close of nominations, but before ballot packs are mailed to voters, the election continues and the VEC will make every effort to have ballot papers reprinted without the name of the deceased candidate. If reprinting the ballot papers is not possible, the law gives directions on how to manage any preferences the deceased candidate receives. In this situation the VEC will communicate the death of the candidate to all stakeholders, including voters and the other candidates, to explain the ballot paper provisions.

If the death of a candidate results in an uncontested election (where the number of candidates is the same as the number of vacancies) the remaining candidate(s) will be declared elected.

If a candidate for either lord mayor or deputy lord mayor dies, the nominations of both candidates in the team are void.

The nomination fee will be refunded to the deceased candidate's representative.

Uncontested, incomplete and failed elections

An uncontested election occurs when the number of candidates nominated matches the number of vacancies on the council. This can occur in 3 situations:

- at the close of nominations
- after the retirement of a candidate
- after the death of a candidate.

If there are fewer candidates than the number of vacancies, the election manager must declare those candidates elected. These are referred to as 'incomplete elections'. The remaining vacancies are treated as extraordinary vacancies (see [7.5 Extraordinary vacancies](#)).

If there are no candidates, it is a failed election. The election manager must give public notice that the election has failed. This notice will be posted at the election office, as well as on the VEC website. The vacancy (or vacancies) is treated as an extraordinary vacancy.

In a general local council election, wholly uncontested councils will be declared on or after election day. The election manager will give public notice of this declaration.

Uncontested, failed or incomplete (fewer candidates than there are vacancies) elections will be declared with all other contested elections within the council as soon as possible after election day.

1.5 Teams and groups

Team name registration (leadership team election)

For teams standing for the leadership team election, you can request for a team name to appear next to your names on the ballot paper.

You can use the *Request for Team Name - Leadership Team Election form* available from Candidate Helper, in the *Candidate Information Kit* or from the election manager.

You must submit your request for a team name to the election manager before 12 noon on Thursday 19 September 2024.

Your team name can be no more than 6 words, or 6 letters if the name consists only of abbreviations. If you submit a team name of more than 6 words or letters, only the first 6 words or letters will be printed on the ballot paper. The team name must not be offensive or misleading.

If your team name:

- has been endorsed by two or more registered political parties, a composite name may be used
- implies an association with a registered political party, your team must provide written authorisation from the registered officer of the political party
- is a name other than described above, your team must sign a declaration that you have both made enquiries and are unaware of any other person, organisation or group or team that has an existing claim to that name.

The election manager will also check to ensure your proposed team name is not likely to be misleading or deceptive for voters compared with team names used at the last Melbourne City Council elections, or if the team name implies an association with a person or organisation without proper authorisation.

You will be advised of the outcome of your request for a team name as soon as possible after team registration has closed.

Your team should consider an alternative name in the event that the election manager rejects the name you have submitted. If this is the case, you will be required to register your alternative team name no later than 12 noon on Friday 20 September 2024.

Group registration (councillor election)

For candidates in the councillor election, you make a request with at least one other candidate in the election to form a group. If you request to form a group, you will need to set out the order in which each candidate in the group should be listed below the line on the ballot.

A request for group registration must be lodged with the signatures of all candidates wishing to form the group.

When registering your group, you may also make a request for a group name. Group names that are accepted by the election manager will be printed above the line on the ballot paper next to the box for the group.

You can use the *Request for grouping and group name – councillor election form* available from Candidate Helper, in the *Candidate Information Kit* or from the election manager.

You must submit your group registration request to the election manager before 12 noon on Thursday 19 September 2024.

Your group name can be no more than 6 words, or 6 letters if the name consists only of abbreviations. If you submit a group name of more than 6 words or letters, only the first 6 words or letters will appear on the ballot paper. The name must not be offensive or misleading.

If your group name:

- has been endorsed by two or more registered political parties, a composite name may be used
- implies an association with a registered political party, a representative of your group must provide written authorisation from the registered officer of the political party
- is a name other than described above, a representative of your group must sign a declaration that they have made enquiries and are unaware of any other person, organisation or group or team that has an existing claim to that group name.

The election manager will also check to ensure the proposed group name is not likely to be misleading or deceptive for voters compared with group names used at the last Melbourne City Council elections, or if the group name implies an association with a person or organisation without the proper authorisation.

You will be advised of the outcome of your group registration request as soon as possible after group registration has closed.

Your group should consider an alternative name in the event that the election manager rejects the name you have submitted. If this is the case, your group must register its alternative name no later than 12 noon on Friday 20 September 2024.

Authorised person for making a group registration request

A request to register a group may be lodged:

- if all the members of the group have been endorsed by the same registered political party, by the registered officer of the party
- if the members of the group have been endorsed by different registered political parties, by the registered officers of all those parties
- if neither of the above apply, either by:
 - the candidate whose name first appears in the group on the ballot paper
 - a person authorised in writing by all the members of the group to sign the application on behalf of the group, provided the written authorisation is lodged with the application.


2. Statement and photograph

Overview

The team, group or candidate statement is made up of your statement text and photograph(s). This chapter explains how to complete and lodge your statement.

For teams and groups, a statement must be lodged as a joint team or group statement. Ungrouped candidates may lodge an individual candidate statement.

Team, group and candidate statement text and photographs are optional.

 If you choose to submit a statement, it must be lodged with the election manager before 12 noon on Monday 23 September 2024.

Late submissions will not be accepted.

Statements and photographs are included in ballot packs mailed to voters and are also published on the VEC website after the statement lodgement period closes.

If you do not lodge a statement, the election manager must let voters know in the ballot pack that you did not provide a statement.

You can use the checklists in [Appendix 3. Statement checklist](#) and [Appendix 4. Candidate photograph checklist](#) to help you prepare your statement text and photograph(s).

2.1 About the statement

If you lodge your statement in person, you or your authorised representative must make an appointment with the election manager to review your statement and make sure it meets legislative requirements. Any statements that do not comply with these requirements will be rejected. These requirements are discussed under [Statement requirements](#) and [Reasons for rejection](#) later in this section.

Please follow the checklist on the statement lodgement form to make sure your statement is processed as quickly as possible.

Team statements (leadership team election)

For teams, you can lodge a team statement of up to 250 words to be included in the ballot pack mailed to voters. Your statement must be accompanied by a signed and dated declaration by both candidates in your team.

Group statements (councillor election)

For groups, you may lodge a group statement of up to 250 words to be included in the ballot pack mailed to voters. Your statement must be accompanied by a signed and dated declaration by an authorised person.

Authorised person for lodging a group statement (councillor election)

An application to register a group statement may be signed:

- if all the members of the group have been endorsed by the same registered political party, by the registered officer of the party
- if the members of the group have been endorsed by different registered political parties, by the registered officers of all those parties
- if neither of the above apply, either by:
 - the candidate whose name first appears in the group on the ballot paper
 - a person authorised in writing by all the members of the group to sign the application on behalf of the group, provided the written authorisation is lodged with the application.

Ungrouped candidate statements (councillor election)

For an ungrouped candidate, you may lodge a candidate statement of up to 200 words to be included in the ballot pack mailed to voters. The statement must be accompanied by a declaration signed and dated by you.

Candidate Helper for statements

Candidate Helper guides you through each part of preparing your statement.

Candidate Helper can:

- check your formatting meets requirements
- give an indicative word count
- allow you to save your progress and amend your statement before you print your pre-completed statement lodgement form.

You cannot use Candidate Helper to pre-complete your statement and photograph(s) if you completed a paper nomination form.

The Candidate Services team may contact you if you start filling out a statement lodgement form in Candidate Helper but do not complete it.

Statements cannot be finalised or submitted online. When your statement is complete and you have checked the details are correct, save your statement in Candidate Helper. You can then print your pre-filled statement lodgement form to bring to your appointment with the election manager.

Paper statement forms

You can get a paper statement lodgement form in the *Candidate information kit* from us before the nomination period begins. Contact the Candidate Services Team on 03 8620 1316 to request a *Candidate information kit*.

You can also pick up a *Candidate information kit* from the election office after it opens to the public.

The form includes the declaration which you are required to sign.

If you complete a paper form make sure to check manually that your statement is within the word limit.

Statement requirements

There are requirements your statement must meet before it is accepted by the election manager. Your statement must be:

- 250 words or less for team and group statements
- 200 words or less for ungrouped candidate statements.

Any statements that go over the word limit will be cut off at the word limit when printed. Punctuation marks (dashes, brackets, etc.) are not counted in the word count.

Your statement must also be:

- in English
- submitted as one continuous text block, with no paragraph breaks
- aligned to the left.

If you need a special character (such as an accent) applied to any letters in your statement, you must tell the election manager when you lodge your statement.

The election manager will apply the following formatting rules to verify the final word count.

Formatting

These format options are not allowed and will be automatically removed by the system if they are part of your electronically submitted statement:

- bullet points
- tab indentations
- bold text
- italics text
- underlined text.

Web addresses and email addresses in statements

We advise against placing web addresses and email addresses in your statement, as they are difficult to read in print publications.

If you choose to include a web address or an email address, it may be broken over multiple lines.

Word count guidelines

Guideline	✓ Allowed	✗ Not Allowed
You cannot use punctuation in a non-standard way to join words, characters or numbers. This will be corrected by the election manager.	1, 2, 3, 4 (4 words)	1,2,3,4
	Vote! For! Me! (3 words)	Vote!For!Me!
You cannot use punctuation or characters to create excessive emphasis.		Any emoticons, e.g.: :) :0 :(
	level! (1 word)	level!!!!
You cannot use hyphens to attempt to lower the word count. Non-standard use of hyphenated words or numbers will be corrected.	day of the week (4 words)	day-of-the-week
	19-08-1909 (1 word)	1-2-3-4-5-6
You cannot use a forward slash (/) to join words or numbers in a non-standard way.	she/her (1 word)	council/resident/ ratepayer
	19/8/2017 (1 word)	1/2/3/4/5/6
You cannot use non-standard characters such as a percent sign or ampersand to join words and numbers.	roads & rubbish & rates (5 words)	roads&rubbish&rates
	Increase of 50% to 60% (5 words)	Increase of 50%to60%
You cannot list multiple social media accounts or hashtags without spaces.	#votefor #election (2 words)	#votefor#election
	#vec @elections (2 words)	#vec@elections
Telephone numbers will count as one word as long as they are in one of these formats.	(xx) xxxx xxxx (1 word)	
	xxxx xxxx (1 word)	
	xxxx xxx xxx (1 word)	

Guideline	✓ Allowed	✗ Not Allowed
Commonly used acronyms and initialisms are counted as one word.	VCAT (1 word) VEC (1 word)	
Commonly used abbreviations are counted as one word.	Ph.D. (1 word) DipEd (1 word)	
Normal use of initials are counted as one word.	J.D. Rowley (J.D. = 1 word)	J.D.R.o.w.l.e.y.

Word guidelines

Guideline	✓ Allowed	✗ Not Allowed
You cannot use all capitals to emphasise your message.	Make sure you vote for me.	MAKE SURE YOU VOTE FOR ME.
Websites and email addresses are counted as one word.	vec.vic.gov.au facebook.com/ councilcandidate same.person@gmail.com	

To make sure you do not go over the word limit we recommend that you prepare your statement using Candidate Helper and lodge the barcoded form it generates. The program will format the text to meet the above requirements.

If you prepare your statement by hand, please make sure to follow the above requirements. The election manager will review and advise you or your authorised representative of any changes your statement needs before it is processed.

The election manager will not correct any errors in grammar, punctuation or spelling in your statement. We strongly advise you proofread your statement thoroughly before submitting it to the election manager.

It is the responsibility of you or your authorised person to make sure your statement is accurate.

Reasons for rejection

The election manager must reject your statement if it:

- refers to another team, group or candidate standing for the Melbourne City Council elections without the written consent of the team, group or candidate
- includes a claim of endorsement or support from a party, organisation or person without providing the written consent of that party, organisation or person when you lodge your statement

- includes offensive or obscene material
- includes material that is likely to mislead or deceive a voter when casting their vote
- includes material that is against the law, such as containing defamatory statements or a threat of violence
- is not lodged with a signed declaration.

The election manager must notify you (or a member of your team or group) no later than 24 hours after the close of statement lodgements if they reject your statement. They will use the short-notice contact details you provided with your nomination.

They will tell you:

- that your statement has been rejected and why it was rejected
- which parts of your statement need to be fixed for it to be accepted
- that you may make changes to the incorrect part(s) of your statement and once fixed, resubmit it to the election manager.

You have 24 hours from being notified of the rejection to resubmit your statement after you have made any required changes. If you don't resubmit your statement within the required time frame after it has been rejected, the ballot pack mailed to voters will say you did not lodge a statement.

If you resubmit your statement you can only make changes to the parts that do not meet the above requirements.

Evidence of endorsement and consent to name

Some statements include a claim of endorsement or support from a party, organisation or person. If you include an endorsement like this, you must also provide the written consent of the party, organisation or person to include the endorsement when you lodge your statement with the election manager.

If you name another team, group or candidate in your statement, you must provide written consent from that team, group or candidate when you lodge your statement with the election manager.

Penalties


When you submit a statement, you are required to sign a declaration that your statement is true and correct. There are penalties for making a false declaration.

This includes falsely attributing an endorsement to a party or group when the statement did not comply with the requirement to have written consent from that party or group.

Falsely claiming or implying endorsement may also mislead or deceive a voter and may result in a penalty.

See [7.1 Election offences](#) for more information on these penalties.

How to lodge your statements

 Statements must be lodged with the election manager before 12 noon on Monday 23 September 2024.

Your statement must be lodged by you or a person you have authorised in writing to act on your behalf. You or your authorised representative can lodge your statement:

- in person by giving the election manager a hard copy of your completed and signed *Team statement lodgement form*, *Grouped candidate statement lodgement form* or *Ungrouped candidate statement lodgement form*, or
- by scanning and sending your completed and signed *Team statement lodgement form*, *Grouped candidate statement lodgement form* or *Ungrouped candidate statement lodgement form* to the email address the election manager gives you.

Your completed statement lodgement form must include the signed declaration.

If an authorised person is lodging your statement on your behalf, you must give written authorisation for that person to lodge the statement.

The election manager will check your statement after they have received your statement lodgement form. If there are any issues with your statement, the election manager will discuss these with you. You, or your authorised representative must initial any changes you make to your statement lodgement form.

If all details are complete and the statement appears to comply with the legislation and formatting rules, the election manager will process it.

If you have prepared your statement by hand, the election manager must enter it into the Election Management System at the election office. Your statement must include the signed declaration, regardless of whether it was prepared with Candidate Helper or by hand.

Once your statement is confirmed as lodged at the election office, the VEC will conduct further checks. If we identify an issue, we will contact you to ask you to resolve it.

The text of your statement will be printed in the ballot packs exactly as it appeared when you lodged it.

Declaration

Your statement must be accompanied by a signed and dated declaration.

The declaration for lodging a leadership team statement is:

We declare that our joint statement is true and correct, that it does not contain any matter that may mislead or deceive a voter in the casting of his or her vote and that we are aware we may be liable to prosecution if our joint statement contains matter that may mislead or deceive a voter in the casting of his or her vote.

The declaration for lodging a group statement is:

We declare that our group statement is true and correct, that it does not contain any matter that may mislead or deceive a voter in the casting of his or her vote and that we are aware we may be liable to prosecution if our group statement contains matter that may mislead or deceive a voter in the casting of his or her vote.

The declaration for lodging an ungrouped candidate statement is:

I declare that my candidate statement is true and correct, that it does not contain any matter that may mislead or deceive a voter in the casting of his or her vote and that I am aware I may be liable to prosecution if my candidate statement contains matter that may mislead or deceive a voter in the casting of his or her vote.

Statements without a signed declaration must be rejected by the election manager. It does not have to be signed in the presence of the election manager, so you can sign this before lodging.

2.2 About the candidate photograph

Teams and groups may include photographs of each of the candidates in the team or group to accompany the statement in the ballot pack mailed to voters. An ungrouped candidate may include a photograph of themselves to accompany their statement.

The most efficient way to do this is using Candidate Helper to upload your photograph(s), print out the pre-completed form and bring it to the election office when you nominate. If you don't use Candidate Helper, you can email the election manager your photograph(s). Photographs provided by USB or any other portable device will not be accepted.

 Your photograph must be lodged before 12 noon on Monday 23 September 2024.

You can use the Candidate Photograph Checklist at [Appendix 4. Candidate photograph checklist](#) to help you prepare your photograph(s).

Candidate Helper for candidate photographs

Candidate Helper guides you through the process of uploading your photograph(s).

With Candidate Helper you can:

- choose a photograph from your device and upload it
- view the photograph in greyscale to match how it will be printed in the postal ballot pack
- make basic cropping adjustments.

You can change your photograph(s) as many times as you like before you lodge your form with the election manager. Once it's finalised, you can't change your photograph(s) using Candidate Helper.

Candidate photographs cannot be finalised and submitted online. When your photograph(s) are uploaded and you don't need to make any further changes, save your photograph(s) in Candidate Helper. You can then print your pre-filled statement lodgement form, which includes the photograph(s) and a barcode, to bring to your appointment with the election manager.

Electronic submission

If you don't use Candidate Helper, you can supply your photograph(s) by email:

- as an attachment to the address provided by the election manager
- in JPG format, with a high resolution to ensure clarity when printed
- following the naming convention "Melbourne City Council (Lteam), <Family Name, Given Name>".(jpg) for each leadership team election candidate, or
- following the naming convention "Melbourne City Council (Councillors), <Family Name, Given Name>".(jpg) for each councillor election candidate.

This is a format requirement.

For a visual representation of candidate photograph requirements, please refer to the document *Candidate photograph guidelines* in the *Candidate information kit*.

Photograph requirements

Your photograph(s) will be printed in greyscale (black and white). For the best possible printing quality, photographs should:

- be recent (taken in the last 12 months)
- have a plain, light-coloured background
- contain just you (no distracting objects, animals or other people)
- show your head and shoulders only
- not use filters or digital zoom
- not be cropped.

Unsuitable photographs

The following photograph types and formats are unsuitable for reproduction:

- Side profiles
- Photocopies
- Scans
- Draft quality prints
- Group photographs or pictures cut from group photographs
- Pictures containing more than one person (for example, a candidate holding a baby)

- Copies from printed documents
- Under- or over-exposed photographs
- Distracting backgrounds
- Low resolution photographs.

We cannot accept any responsibility for the reproduction of photographs that do not comply with these specifications. It is up to you to make sure your photograph(s) are of the best possible quality.

The election manager may need to make cropping adjustments to your photograph(s). You will have the opportunity to review the adjustments before your photograph(s) are accepted.

If you do not provide a photograph, the ballot pack mailed to voters will explain that you did not provide one in place of the photograph(s). For teams and groups, if you do not provide a photograph for all candidates, the ballot pack will include the photographs provided and will explain that those candidates without a photograph did not provide one.

3. Candidate questionnaire

Overview

This chapter explains how to complete and lodge your answers to the candidate questionnaire. Candidate questionnaires are optional.

The candidate questionnaire is a prescribed set of questions. All candidates' answers will be published on the VEC website. Candidates' answers to the questionnaire will also be available from the election office on request. If a candidate has not provided responses to the questionnaire or only partially answered the questionnaire we will advise voters of this.

You can use the checklist at [Appendix 5. Candidate questionnaire checklist](#) to help you lodge your questionnaire.

3.1 About the candidate questionnaire

The candidate questionnaire gives voters background information on each candidate. This information allows voters to compare each candidate's experiences.

 If you choose to submit a questionnaire, you must lodge it with the election manager by 12 noon on Monday 23 September 2024.

Every candidate may submit an individual candidate questionnaire, regardless of whether they are in a team or group, or ungrouped.

Questionnaire format

The questionnaire has several questions, in a mix of yes/no, multiple choice and free-text responses. If you don't provide responses to the whole questionnaire or individual questions, the VEC website will contain a sentence explaining this.

The free text responses have word limits which are set out by the legislation.

Please follow the instructions written on the form when completing your questionnaire. You must not:

- include offensive or obscene material
- include material that is not relevant to the question
- include material that is not completed in accordance with the instructions on the form, such as an answer which exceeds the word count limit for that question
- include a claim of endorsement from a registered political party without written consent from the registered officer of the party (see [Evidence of political party endorsement](#)).

We will not publish answers that do not comply with these requirements.

Candidate Helper for candidate questionnaires

Candidate Helper guides you through the questionnaire. Each question in the questionnaire is optional, and Candidate Helper will let you skip any questions you don't want to answer.

Your candidate questionnaire cannot be finalised online. Once you are satisfied your answers are complete you can save your questionnaire to print for lodgement with the election manager.

The Candidate Services team may contact you if you start filling out a *Candidate questionnaire lodgement* form in Candidate Helper and do not complete it.

Paper questionnaire form

You can get a paper *Candidate questionnaire lodgement* form in the *Candidate information kit* from us before the nomination period begins. Contact the Candidate Services Team on 03 8620 1316 to request a *Candidate information kit*.

You can also pick up a *Candidate information kit* from the election office after it opens to the public.

The form includes the declaration that all candidates are required to sign.

You are responsible for making sure your answers are correct and do not exceed word count limits. Please check your questionnaire carefully before your lodgement appointment.

Declaration

You must submit a signed and dated declaration that your questionnaire answers are true and correct alongside your completed questionnaire. Your questionnaire answers cannot be accepted without this declaration. It does not have to be signed in the presence of the election manager, so you can sign this before lodging.

Evidence of political party endorsement

If your questionnaire contains an endorsement from a registered political party, you must provide written consent from the party's registered officer when you lodge your questionnaire.

This requirement only applies to endorsements from parties currently registered in Victoria. The Register of Political Parties, including the name of each party's registered officer, is available on the VEC website at vec.vic.gov.au/registered-parties

How to lodge your questionnaire

 Candidate questionnaires must be lodged by 12 noon on Monday 23 September 2024.

You or your authorised representative must submit:

- your completed *Candidate questionnaire lodgement* form (including signed declaration)
- your written authorisation (if your questionnaire is being submitted by an authorised person)
- written consent from the registered officer of the political party (if you are endorsed by any registered political party).

These documents must be lodged with the election manager in person or by email.

Your answers will be printed as written. The election manager will not correct any spelling or grammar errors. Please make sure to check your answers thoroughly before lodging your form.

4. Group voting tickets and indications of preferences

Groups must lodge a minimum of one and a maximum of 2 group voting tickets.

Teams and ungrouped candidates may lodge an indication of preferences that shows voters how the team or candidate wishes for voters to complete their ballot paper.

Templates for group voting tickets and indications of preferences will be emailed to candidates following the ballot draw on Thursday 19 September 2024.

Group voting tickets and indications of preferences must be submitted to the election manager before 12 noon on Monday 23 September 2024.

4.1 Group voting tickets

A group voting ticket sets out how your group wishes to direct preferences from above the line votes for your group. Each group must register at least one group voting ticket but can lodge up to a maximum of 2.

If your group registers 2 group voting tickets, half of the above-the-line votes for your group will be counted in accordance with each group voting ticket or, if the tally cannot be evenly divided, the remaining vote will be counted according to your group's group voting ticket that is drawn by lot.

Your group voting ticket must give all initial preferences to each candidate in your group, in the order your group has registered for its candidates to appear below the line, before giving preference to every other candidate.

Group voting tickets can only be registered if they result in a formal vote. The election manager cannot register a group voting ticket that does not adhere to the above conditions.

All group voting tickets registered by a group will be included in the ballot pack mailed to voters.

The deadline to lodge at least one group voting ticket with the election manager is 12 noon on Monday 23 September 2024.

If your group fails to lodge at least one group voting ticket before the deadline, your group will not receive a box above the line on the ballot paper.

Authorised person for lodging a group voting ticket

An application to register a group voting ticket may be signed:

- if all the members of the group have been endorsed by the same registered political party, by the registered officer of the party
- if the members of the group have been endorsed by different registered political parties, by the registered officers of all those parties

- if neither of the above apply, either by:
 - the candidate whose name first appears in the group on the ballot paper
 - a person authorised in writing by all the members of the group to sign the application on behalf of the group, provided the written authorisation is lodged with the application.

4.2 Indications of preferences

Team indications of preferences (leadership team election)

For teams, you may lodge an indication of preferences to be included in the ballot pack mailed to voters.

If your team does not lodge an indication of preferences, the ballot pack will contain a sentence explaining this.

Ungrouped candidate indications of preferences (councillor election)

For ungrouped candidates, you may lodge an indication of preferences to be included in the ballot pack mailed to voters. If you do not lodge an indication of preferences, the ballot pack will contain a sentence explaining this.

Requirements

Indications of preferences list each team (leadership team election) or each candidate below the line (councillor election) election candidate or each councillor election candidate below the line (as applicable) in the order in which they will appear on the ballot paper.

As a team or ungrouped candidate, you must place the figures '1', '2', '3', and so on, in the boxes beside the names of each team or candidate to indicate to voters how you prefer they complete their ballot paper.

You must direct your first preference to your own team or yourself. All further preferences may be indicated in any order you prefer but must result in a formal vote for any voter who completes their ballot paper in accordance with your indication of preferences.

The election manager must reject an indication of preferences if it does not comply with the above requirements.

Your indication of preferences must be lodged by you, or by a person authorised in writing by you, no later than 12 noon on Monday 23 September 2024.

Indications of preferences must be lodged with the election manager in person or by scanning and attaching the completed and signed lodgement form in an email sent to the election manager.

5. Election campaign material and donations

Overview

This chapter explains the rules for publishing electoral material and election campaign and donation returns.

The Local Government Inspectorate (LGI) is the body responsible for ensuring compliance with the Local Government Act and the City of Melbourne Act, including electoral offences.

5.1 Printing and publishing electoral material

Any person can publish electoral material about a team, group or candidate campaign or any other issue before the voters at an election. All electoral material must be authorised and must comply with the Local Government Act.

Electoral material can take many forms, including:

- a pamphlet, flyer, handbill, or notice
- a billboard, poster, or sign
- a how-to-vote card
- paid or unpaid print, digital or online advertising
- social media posts or profiles
- websites
- certain electronic communications, like SMS or emails.

Authorisation of electoral material

Electoral material must not be printed, published, or distributed unless the name and address of the person who authorised the electoral material is clearly visible on the main side of the material. The address can be a street address or a PO Box address but cannot be an email address.

Authorisation requirements do not apply to car stickers, items of clothing, lapel buttons and badges, fridge magnets, pens, pencils, or balloons.

You may authorise and print your own electoral material.

This requirement always applies, not just during an election period. It applies to all people, not just candidates and registered political parties.

The penalty for failing to authorise electoral material is 10 penalty units for a person, and 50 penalty units for corporations.

If you are unsure whether your material is electoral material, it is better to authorise it.

Misleading or deceptive material

It is an offence to print, publish, distribute, or allow or authorise to be printed, published, or distributed electoral material that is misleading or deceptive, being:

- any matter or thing that the person knows or should reasonably be expected to know is likely to mislead or deceive a voter in relation to the casting of their vote
- electoral material that contains a representation or purported representation of a ballot paper that is likely to induce a voter to vote in an election other than in accordance with the directions on the ballot paper.

The terms 'misleading' and 'deceptive' in this context have been narrowly defined by the courts. They refer to the effect and understanding of a voter's vote rather than influencing how the voter decides who to vote for.

For example, the statement 'A vote for Candidate X is really a vote for Party Y' could influence how the voter understands the effect of their vote. This would be misleading or deceptive if untrue.

A statement like 'Candidate X is lying about living in this ward for 20 years' would not be thought of as misleading or deceptive even if it is untrue. This is because it while it may influence who a voter decides to vote for, it would not influence what they understand the effect of casting their vote will be.

The maximum penalty for publishing misleading or deceptive material is 60 penalty units or 6 months prison for a person, or 300 penalty units for a corporation.

Newspapers, pamphlets and circulars

During an election period, all articles which are electoral material and are printed, published or distributed in a newspaper, circular or pamphlet must include the name and address of the author at the end.

If you write a letter to a newspaper you must include your name and the suburb or locality you live in.

The identification requirement does not apply to a newspaper leading article or an article that is solely a report of a meeting.

The penalty for not identifying the author is 10 penalty units for a person, or 50 penalty units for a corporation.

Social media, blogs, and emails

Any electoral material published on social media must comply with the requirements of the Local Government Act. It must also meet the terms and conditions of the platform it's published on.

All electoral material posted to social media (such as Facebook, X/Twitter, blogs, websites, and other social media sites) must carry or directly link to an authorisation statement (see [Authorisation of electoral material](#) above). For examples of what authorisations on various platforms may look like, see lgi.vic.gov.au/authorising-social-media-posts

Electronic mailing list communications sent by email or SMS must also either contain an authorisation statement or link to another source such as a website with an authorisation statement.

Messages sent through social media that defame, threaten, or harass another person are against the law and any messages of a threatening nature may be referred to Victoria Police. Significant penalties apply, including prosecution and imprisonment, for any person convicted of threatening or harassing another person.

Leaflets and direct mail

Leaflets, flyers and other forms of unaddressed mail delivered to households or handed out in public locations must be authorised if they are electoral material. This material must not contain a representation or purported representation of a ballot paper intended to be used in the election.

Australia Post has previously advised that electoral material is included in mail that is exempt from letterboxes marked 'No Junk Mail'. You should be aware of all Australia Post rules about handling and delivering unaddressed direct mail.

Contact Australia Post at auspost.com.au or 13 76 78 for more information.

Television and radio broadcasts

All electoral material broadcast on radio or television (including election advertisements), must comply with the requirements in Schedule 2 of the *Broadcasting Services Act 1992* (Commonwealth). We are not able to give candidates advice about Commonwealth legislation such as the *Broadcasting Services Act 1992*.

Please contact the Australian Communications and Media Authority (ACMA) if you have any questions about this legislation:

Post

PO Box 13112
Law Courts
Melbourne VIC 8010

Phone

1300 850 115

Email

info@acma.gov.au

Online

acma.gov.au/contact-us

Posters and billboards

All posters and billboards which are electoral material must be authorised (see [Authorisation of electoral material](#) above).

If you plan on producing, distributing, and displaying posters and billboards you should check with:

- the owner and, if relevant, resident of any private property or business where you want to display the poster or billboard
- the relevant local council about any local laws that may apply to the display of electoral material (including rules around public and private property)
- VicRoads for regulations that apply to the display of electoral material on and alongside freeways, highways, and major road corridors
- Public Transport Victoria about the display of electoral material at public transport locations (buses, bus stops, trains, train stations, trams, and tram stops)
- the Department of Education and Training in relation to the display of electoral material on government-owned schools.

Local laws and public land

You must check with the relevant local authority (for example, the local council, Department of Transport and Planning) to see if there are any laws on the distribution and display of electoral material in public spaces, on public land or alongside highways or road corridors.

This includes holding events or campaigning in public spaces such as parks or shopping centres.

5.2 Disclosure of election campaign donations

All local council candidates are legally required to lodge an Election campaign donation return form with the Chief Executive Officer of the council they were a candidate in. The election donation return must either disclose gifts you receive in the lead up to an election or provide a statement that no gifts were received. This applies to all candidates, including those who were not elected or did not receive any campaign donations.

Lodging the form

- 📄 You must lodge your *Election campaign donation return* form with the Chief Executive Officer by Thursday 5 December 2024 (40 days after election day).

It is offence to fail to lodge this form under section 306 of the Local Government Act.

The submission of campaign donation returns is a focus of LGI due to high levels of non-compliance in previous elections. LGI monitors the submission of campaign donation returns by candidates in council elections and may prosecute any candidate who fails to comply with the Local Government Act.

The penalty for failing to lodge, or providing false or misleading information, is 60 penalty units.

The *Candidate information kit* contains a leaflet from LGI with more information on these requirements. There is an *Election campaign donation return* form in the *Candidate information kit*. You can also find both the leaflet and form on LGI's website at lgi.vic.gov.au/councillor-campaign-donation-returns

Councils must publish a summary of candidate disclosures on their website, including the details prescribed in the Local Government Act, as well as any late returns. The summary must be available on the council's website until the close of roll date for the council's next general election.

❗ Important: You cannot lodge your *Election campaign donation return* form with the election manager or the VEC.

6. Election activities

Overview

This chapter outlines key activities that take place during local council elections and discusses the role of scrutineers in representing candidates' interests during these election activities.

More information about how the VEC manages voting and counting at local council elections is available on our website.

Certain election activities can be observed or challenged by scrutineers. Detailed information about these activities is available in the *Melbourne City Council elections 2024 Scrutineer handbook*.

6.1 Receiving and counting the votes

Local council elections are held by post. The VEC mails ballot packs to all voters so they can complete their vote and post it back before the voting deadline.

Returning and extracting ballot papers

Voters must post or deliver their completed postal vote before 6 pm on Friday 25 October.

Ballot papers are extracted from the ballot paper envelopes by election officials and sorted into batches for the leadership team election and the councillor election before they can be counted.

Counting the votes

Melbourne City Council elections are counted by computer.

At a computer count, the preferences on each ballot paper are entered into our computer count application by data entry operators and a result calculated.

After the final number of candidates in each council is confirmed, the VEC will determine the requirements for counting activities. We will communicate the count activity schedule to you so you can inform your scrutineers. See [Count timeline](#) for more details.

Candidates are not allowed to be present while votes are being counted.

Candidates may attend the calculation of results.

Scrutineers may represent your interests at the count. See [6.2 Scrutineers](#) for more information on the rights and responsibilities of your scrutineers.

Adjournments

The election manager can suspend the extraction of ballot papers or the count of votes. This can occur for reasons such as:

- it is the end of the day and the venue must be packed up so counting can continue at a later date (usually the next day)
- an emergency or natural disaster.

If counting or ballot paper extraction is suspended, the election manager will inform all scrutineers that are present. Candidates will be notified of the time, location and additional details (such as the scrutineer quota) for resuming the activity.

If counting or ballot paper extraction is adjourned for any reason, all ballot material will be packed and securely stored.

Recounts

Any time before candidates have been declared elected, the election manager can open any sealed parcel of ballot papers and recount ballot papers for the leadership team election or councillor election.

The election manager can do this at their own discretion, or at the written request of a candidate if the candidate has given reasons that are strong enough to support their request. A candidate can only request a recount following the completion of counting activities and up until declaration. Any requests received outside of this period will be rejected.

The election manager will conduct any recounts before declaration. They must make reasonable efforts to notify you or your representative before a recount is conducted.

Candidates are not allowed to be present at a recount. You can appoint scrutineers to represent your interests at a recount. See [6.2 Scrutineers](#).

The election manager will consider several factors when deciding to conduct a recount, including:

- any close margins at critical points during the distribution of preferences
- any procedural or system errors or failures that may have interrupted or interfered with the counting process
- the accessibility of the counting process for scrutineers to properly perform their duties.

What is considered a close margin is informed by previous elections. Previous recounts have shown limited changes occur when comparing the critical margin between the recount and the original count.

Availability of results

Result reports are made available to scrutineers at certain points throughout counting activities. Result reports should not be shared by candidates or scrutineers to any interested parties, including the media, until they are officially announced or published by the VEC.

For more information on availability of results, see the *Melbourne City Council elections 2024 Scrutineer handbook*.

Declaration of the result

The election manager will publicly declare the results of the elections at a suitable time after counting has finished, including any recounts.

The election manager will advise candidates by email of the declaration time and venue. We will also publish a notice of results and advise the Minister for Local Government of the successful candidates.

The VEC will provide councils with the contact details of successful candidates.

Count timeline

The VEC will create a count timeline that sets out each activity in the extraction and counting process and when we expect it will take place. The count timeline will be communicated to candidates by email.

📌 Important: It is your responsibility to notify your scrutineers of the count timeline.

We will make every effort to complete counting as quickly as possible. The VEC's priority, however, is the integrity rather than the speed of the count.

Our counting timelines are based on several considerations, including:

- the number of candidates
- the number of votes cast
- staff numbers and wellbeing during long work days.

We will update counting timelines after the close of voting and the postal receipt period as required.

The calculation of results cannot be completed until after 12 noon on Friday 1 November 2024, once the postal vote receipt period has closed.

We will make sure all elections are declared as soon as possible after counting is finished, including any recounts.

More details of the count timeline will be available after nominations have closed and the final number of candidates is available. However, we will not know which elections will be close and where a recount will be conducted.

If counting activities need to be suspended for any reason, you will be notified of the time, location and any additional details (such as the scrutineer quota) for resuming the activity.

The timeline will also allow for rest time for staff working long hours across the election. We ask candidates to respect the wellbeing needs of our staff during the count.

6.2 Scrutineers

Role of scrutineers

You can appoint scrutineers to represent your interests at election proceedings. A scrutineer represents a candidate's interests by ensuring the integrity of the election process. More details are available in the *Melbourne City Council elections 2024 Scrutineer handbook*.

Scrutineering activities comprise observable and challengeable activities.

Scrutineers have the right to observe election activities throughout the election from posting ballot packs and voting, to processing ballot envelopes and counting. They can challenge the formality of ballot papers, but the ruling of the election manager is final.

You may appoint scrutineers for the activities of the election you are contesting. They must be separately appointed to represent any other candidate for other elections.

You can appoint a scrutineer to represent you for the following election activities:

Activity	Observe	Challenge
Posting of ballot packs	Yes	No
Opening and emptying a post office box	Yes	No
Opening and emptying a postal ballot box	Yes	No
Receiving and processing of returned ballot paper envelopes	Yes	No
Ballot paper extraction	Yes	No
Ballot paper initial sorting and batching	Yes	No
Further sorting and counting of above-the-line councillor election ballot papers	Yes	Yes
Computer count	Yes	Yes
Recount	Yes	Yes

Scrutineer quotas

From time to time, the VEC may change a scrutineer quota or limit the number of scrutineers able to represent each candidate for an activity or process to:

- maintain fair access for all scrutineers
- meet health and safety requirements
- meet other lawful obligations.

Candidates will be advised by email at the earlier time available, if any changes need to be made to the scrutineer quota for each activity.

Appointment and declaration of scrutineers

Before a scrutineer can perform their role at an election activity, the scrutineer must make a written declaration containing details required by law.

The declaration is part of the *Appointment and declaration of scrutineer (MCC)* form available in the *Candidate information kit*, on the VEC website at vec.vic.gov.au or from the election manager.

There are 2 parts to the *Appointment and declaration of scrutineer (MCC)* form:

- appointment of the scrutineer signed by a candidate in advance
 - You may sign the form by hand or apply your signature digitally, such as inserting an image of your signature or signing using a finger or stylus on a digital version of the form.
- declaration signed by the scrutineer by hand, in the presence of an election official
 - Scrutineers must sign the declaration on a hard copy (printed) form by hand in the presence of an election official. The scrutineer cannot pre-sign the form and cannot apply a digital signature to the declaration.

You must sign an *Appointment and declaration of scrutineer (MCC)* form for every scrutineer you appoint.

Activities for your election may take place at different venues during the election period. You need to formally appoint scrutineers for each venue they attend by providing your scrutineer with a separate *Appointment and declaration of scrutineer (MCC)* form per venue. Scrutineers register one form per venue per candidate.

More than one election may take place at some venues. Scrutineers can represent candidates in other elections but must provide a separate *Appointment and declaration of scrutineer (MCC)* form for each election they are appointed to. Scrutineers cannot observe activities for elections they have not been appointed to, even if the activity is taking place at the same venue. This includes other wards in the same council.

Who cannot be a scrutineer

A person cannot be a scrutineer if they are:

- a councillor of the council
- a candidate at the election
- a candidate at another election occurring at the same time for the same council
- working for the VEC at the election.

Removal of scrutineers from a venue

Scrutineers may be removed from a venue if:

- the candidate has exceeded the scrutineer quota for the activity
- the scrutineer touches any ballot papers or ballot paper envelopes
- the scrutineer breaches the Local Government Act or the Local Government Regulations
- the scrutineer disrupts or hinders electoral activities, or behaves in a disorderly manner
- the scrutineer fails to obey a lawful direction from an election official.

7. Election compliance and post-election activities

Overview

This chapter describes the offences that exist for local council elections and activities that occur after the election and during the council term. This includes compulsory voting enforcement and the process for filling extraordinary vacancies.

This section also explains your obligations around election campaign donations.

The value of a penalty unit is set annually by the Victorian Treasurer and is indexed on 1 July each year. For information on penalty units see Justice and Community Safety Victoria at justice.vic.gov.au/justice-system/fines-and-penalties/penalties-and-values

7.1 Election offences

The following list of offences is not exhaustive and should not be taken as legal advice.

Division 8, Part 9 of the Local Government Act contains the majority of electoral offences. They apply to Melbourne City Council elections, the City of Melbourne Act and City of Melbourne Regulations by virtue of section 4 of the City of Melbourne Act. Refer to the Local Government Act and the Local Government (Electoral) Regulations for more information about electoral offences. We encourage you to seek independent legal advice if you are concerned about any of these offences.

Provision of voters' roll to a candidate

The copy of the voters' roll we give you must only be used for the purpose of conducting the election campaign. This is set out in section 252(3) of the Local Government Act.

The maximum penalty is 120 penalty units.

If you retire after nominations have closed you must destroy or return the copy of the voters' roll and any copies made from it within 30 days of retiring. This is set out in section 252(4) of the Local Government Act.

The maximum penalty is 120 penalty units.

A candidate must destroy or return the copy of the voters' roll and any copies made from it within 30 days after the election day [section 252(5) of the Local Government Act].

The maximum penalty is 120 penalty units.

Unlawful nomination

It is an offence to nominate as a candidate for election if you do not meet the requirements to be a candidate under section 256 of the Local Government Act [section 286 of the Local Government Act].

The maximum penalty is 240 penalty units or 2 years imprisonment.

Misleading or deceptive matter

It is an offence to print, publish, distribute or cause to be printed, published, or distributed any matter or thing that the person knows, or should reasonably be expected to know, is likely to mislead or deceive a voter in relation to the casting of the vote of the voter [section 288(1) of the Local Government Act].

This means it is against the law to create and distribute documents with claims that you know are deliberately misleading or deceptive in how a voter casts their vote. You are also not allowed to give others information that will mislead or deceive people for them to print and distribute. For more information, see [Misleading or deceptive material](#).

The maximum penalty is 60 penalty units or 6 months imprisonment for a person.
The maximum penalty is 300 penalty units for a corporation.

False or misleading information

It is an indictable offence to knowingly make a false or misleading written or spoken statement in a significant matter about voter enrolment or in any declaration or application (such as a nomination declaration or scrutineer appointment) under the Local Government Act, Local Government Regulations, City of Melbourne Act or City of Melbourne Regulations [section 293 of the Local Government Act].

The maximum penalty is 600 penalty units or 5 years imprisonment.

Voting offences

Under section 294 of the Local Government Act, it is an indictable offence to:

- a. forge any ballot paper, prescribed form or other form or document submitted or lodged in connection with an election
- b. use any forged ballot paper, prescribed form or other form or document submitted or lodged in connection with an election
- c. 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
- d. vote in the name of another person, including a dead or fictitious person at any election
- e. vote more than once at any election
- f. apply for a ballot paper in the name of another person.

The maximum penalty is 600 penalty units or 5 years imprisonment.

Secrecy of vote

Except as authorised by law, it is an offence for anyone 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 Local Government Act].

The maximum penalty is 120 penalty units or one year imprisonment.

Interfering with postal ballots

It is an indictable offence to interfere with any postal ballot material that will be sent or delivered to a voter by the VEC at an election [section 299 of the Local Government Act].

The maximum penalty is 600 penalty units or 5 years imprisonment.

Bribery, treating and undue influence

It is an indictable offence for a person to:

- ask for, receive, or obtain
- offer to ask for, receive or obtain
- agree to ask for, receive or obtain

any property or benefit of any kind for themselves or any other person on an understanding that the person's election conduct will in any manner be influenced or affected [section 300(2) of the Local Government Act].

This means you cannot offer, ask for, or offer to ask for someone else:

- property or benefits in return for a vote, public support, or written endorsements
- property or benefit means goods, services, or favourable circumstances (like a job or other position).

The maximum penalty is 600 penalty units or 5 years imprisonment.

It is an indictable offence for a person to give, promise to give, or offer to give any property or benefit of any kind to any person to influence or affect the person's or any other person's conduct at an election [section 300(4) of the Local Government Act].

The maximum penalty is 600 penalty units or 5 years imprisonment.

The above offences do not apply to declarations of public policy or a promise of public action.

These offences also apply to the officers of a corporation if committed by a body corporate under section 320 of the Local Government Act.

See sections 300(2) or 300(4) of the Local Government Act for more information on these offences.

Restrictions for councillors and council staff

It is an offence for a councillor or a member of council staff to use council resources in a way that is intended or likely to affect the result of an election. See section 304(1) of the Local Government Act for more detail.

The maximum penalty is 60 penalty units.

It is an offence for a councillor or a member of council staff to use council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed any electoral material during the election period on behalf of, or purporting to be on behalf of, the council unless the electoral material only contains information about the election process or is otherwise required in accordance with, or under, any Act or regulation [section 304(2) of the Local Government Act].

The maximum penalty is 60 penalty units.

Election campaign donation return

Section 306(6) of the Local Government Act sets out offences related to candidates' election campaign donation returns.

You must keep a record of any donations you receive during your local council election campaign. A donation can be money, gifts, goods, or in-kind services.

This record is used to submit as a campaign donation return at the end of your election campaign to the CEO of the council you nominated in. If you were not elected or if you did not receive any donations, you must still submit a return.

Campaign donation returns are monitored and audited by LGI. It is your responsibility to be familiar with your responsibilities under the Local Government Act.

The LGI website has more information about campaign donation returns at lgi.vic.gov.au/councillor-campaign-donation-returns

The maximum penalty is 60 penalty units.

Failure to provide a complete and accurate campaign donation return (under section 306(6)(b) or (c) of the Local Government Act) may also represent false and misleading information under section 293 of the Local Government Act.

Interference with rights

It is an indictable offence to hinder or interfere with the free exercise or performance of any other person's political right or duty. This applies to any right or duty relevant to an election under the Local Government Act.

The maximum penalty is 600 penalty units or 5 years imprisonment.

Defamatory statements

All normal laws apply to candidates in an election, including defamation laws as set out in the *Defamation Act 2005* (Vic). It is your responsibility to be aware of all relevant laws.

We encourage you to seek independent legal advice if you are not sure of your legal obligations.

7.2 Injunctions

If a person has engaged, is engaging or is proposing to engage in any conduct that constituted, constitutes or would constitute an offence under section 287 or 288 of the Local Government Act (see [Misleading or deceptive material](#)), the Supreme Court may on the application of a candidate in an election grant an injunction restraining that person from engaging in the conduct and, if in the opinion of the Supreme Court it is desirable to do so, requiring that person to do any act or thing [section 305 of the Local Government Act].

7.3 Compulsory voting

Voting at Melbourne City Council elections is compulsory for all enrolled voters. Voters who can give a sufficient reason will not be fined for failing to vote.

The VEC is responsible for compulsory voting enforcement at local council elections. Anyone who is required to vote and does not, and is not otherwise excused, will be fined. If a person fails to pay the fine, or does not satisfactorily respond to an infringement notice or penalty reminder notice, we will refer the infringement to Fines Victoria.

7.4 Disputing the validity of an election

The Victorian Civil and Administrative Tribunal (VCAT) is responsible for hearing disputes on the validity of an election under section 311 of the Local Government Act.

Applications for a review of the declared results of an election must be lodged within 14 days of the declaration. This application can be made by a candidate in the election, 10 persons who were entitled to vote at the election, or the VEC.

VCAT's powers when conducting a review are set out in section 312 of the Local Government Act and include:

- declaring that a person who was declared elected in the election was not duly elected
- declaring a candidate in election duly elected who was not declared elected
- declaring an election void
- dismissing or upholding an application they have received, in whole or in part
- amending or allowing the amendment of an application
- ordering or allowing the inspection or copying of documents used in the election. This is subject to terms and conditions considered appropriate by VCAT
- undertaking a preliminary review of an application it has received
- requesting further information about an application
- making any declaration in relation to its powers of review into the election.

VCAT cannot order a recount of the whole or any part of the ballot papers for an election unless it is satisfied that a recount is justified. It must also tell the VEC of its intentions. If an election for a ward or an unsubdivided council is declared void, an extraordinary vacancy occurs in each office of councillor for the ward or the council on the day the declaration is made.

VCAT may impose financial penalties for election disputes on the condition that any penalty does not exceed the amount prescribed for the purpose of the Local Government Act.

Decisions by VCAT may be appealed by the Supreme Court in accordance with section 148 of the *Victorian Civil and Administrative Tribunal Act 1998* (Vic).

For more information on VCAT, including its procedures and details on making an application, contact it directly:

- on 1300 018 228 Monday to Friday 9 am to 4:30 pm
- at vcat.vic.gov.au

Please note the VEC cannot give advice on the specific grounds or likelihood of an application's success at VCAT about any election.

If you are considering applying to VCAT under section 311 of the Local Government Act we strongly recommend that you seek independent legal advice.

7.5 Extraordinary vacancies

An extraordinary vacancy occurs when a councillor resigns, dies, or is otherwise ineligible to hold the office of councillor before the next general election.

If an extraordinary vacancy occurs in the leadership team, a by-election is required. If an extraordinary vacancy occurs among the councillors, a countback will be required (in the first instance).

There are some exceptions to filling a vacancy. If an extraordinary vacancy occurs in or close to a general election year, it has to be filled before the period of three months before the general election. The VEC can determine that there is insufficient time to conduct the by-election or countback.

By-elections

If the outgoing councillor was elected to the office of lord mayor or deputy lord mayor, a by-election is needed to fill the vacancy.

The by-election must be held on a date set by the VEC that is within 100 days of the vacancy date (usually when the lord mayor or deputy lord mayor gives their resignation notice to the council CEO).

However, if the by-election timeline would be negatively affected by a public holiday or school holidays, we may vary the election timeline up to a maximum of 150 days from the vacancy date.

Countbacks

If the outgoing councillor was elected as a councillor of Melbourne City Council, the vacancy will be filled by a countback of votes instead of a by-election.

All remaining candidates from the last general or by-election who are still qualified to be a councillor are automatically included in the countback. If a countback is required, we will make all reasonable efforts to notify candidates of the countback using the contact details on each candidate's *Nomination form*.

Countback calculations are performed by computer and are open to the public. Candidates, their families and supporters, as well as council officers, the public, and members of the media may attend. All votes from the original election are included in the countback. To be successful, a participating candidate needs to achieve the same quota of votes as at the original election.

The successful candidate must complete and return a declaration stating they are still qualified to be a councillor within 48 hours before they can be declared elected. If this declaration is not returned a further countback is needed.

If there are no remaining eligible candidates, the countback fails and a by-election is required.

8. Feedback and complaints

Overview

The chapter provides information on our election complaints process.

8.1 Responding to feedback and complaints

The VEC has a robust customer feedback and complaints process for receiving and responding to all feedback and complaints. This is detailed in our customer feedback policy and our customer service charter. These documents are available at vec.vic.gov.au/about-us/complaints

Please submit your feedback or complaints to our Customer Feedback and Complaints team. You can do this:

- using the online tool at vec.vic.gov.au/about-us/complaints
- in writing to complaints@vec.vic.gov.au
- in writing to the election manager of the council you have nominated in
- by mail to Level 11, 530 Collins Street Melbourne VIC 3000. Please address your letter to Customer Feedback and Complaints team.

8.2 Feedback and complaint processing

We will review all written feedback or complaints we receive.

The content of the complaint will determine who reviews and actions it. If the feedback or complaint:

- alleges an offence against the Local Government Act, it will be referred to the relevant enforcement agency (such as Local Government Inspectorate for candidate offences, or IBAC for alleged offences of a current councillor)
- alleges a breach of local laws, it will be referred to the relevant council CEO
- alleges a criminal offence, it will be referred to Victoria Police
- relates to the administration of the election, including the actions and behaviours of election managers or their staff, it will be referred to the Electoral Commissioner or another authorised person for investigation and response.

If your matter has been referred externally, we will advise you that the matter has been referred. In some cases, it may also be appropriate for us to notify the subject of the feedback or complaint that a matter has been raised, particularly where further information is necessary.

You may enquire about the progress of your complaint by contacting the Customer Feedback and Complaints Team on 131 832 or 03 8620 1100.

Appendices

Appendix 1. Candidate lodgement record

Election (leadership team or councillor)	
Candidate name (as on ballot paper)	

Update this form after you have lodged your *Nomination form* and other candidate submissions with the election manager. Keep this form as evidence of lodgement.

You and the election manager should sign this form after completing the nomination process and if you submit the statement lodgement form and the *Candidate questionnaire lodgement form* in person.

If you submit the statement and candidate questionnaire by email please record the time and email address you sent the forms from.

How to submit each of the documents listed below is explained in the *Melbourne City Council elections 2024 Candidate handbook*. It is extremely important that you carefully follow the instructions in this handbook before submitting any forms to the election manager.

	Date lodged DD/MM/YY	Signed Candidate or time sent (HH.MM am/pm)	Signed Election manager or sent from (email address)
Nomination form			
Team name or group registration form			
Team, group or candidate statement			
Candidate photograph			
Candidate questionnaire			
Group voting ticket or indication of preferences			

Appendix 2. Nomination checklist

Nomination checklist for candidates	✓
1. Confirm you are eligible to nominate.	
Make sure you are enrolled on the voters' roll for the Melbourne City Council.	
Make sure you are an Australian citizen or a qualified British subject.	
Make sure you are not disqualified for any other reason.	
Complete the mandatory local government candidate training. For further information visit localgovernment.vic.gov.au	
2. Complete a <i>Nomination form</i>.	
Use Candidate Helper and print your completed <i>Nomination form</i> , or find one in the <i>Candidate information kit</i> and complete it.	
3. Nominate before 12 noon on Tuesday 17 September 2024.	
Call the election office to make an appointment with the election manager.	
Lodge your <i>Nomination form</i> at the election office and sign the declaration in the presence of the election manager.	
Pay the nomination fee (\$250) by cash or bank cheque (made payable to the Victorian Electoral Commission).	
Complete the <i>Candidate lodgement record form</i> (Appendix 1).	
4. Check your electoral material is compliant with the law.	
Make sure your electoral material is compliant with requirements listed in 5. Election campaign material, donations and disclosures . All electoral material must be properly authorised.	

Appendix 3. Statement checklist

Follow this checklist if you wish to submit a team, group or candidate statement for printing in the ballot pack sent to voters.	✓
Use Candidate Helper at and print the completed statement lodgement form, or complete the form in the <i>Candidate information kit</i> .	
Check your statement meets the word count and formatting requirements.	
Check the spelling, grammar and punctuation of your statement.	
Read and sign the declaration on the form.	
Before 12 noon on Monday 23 September 2024 , submit your completed form either: <ul style="list-style-type: none"> • in person yourself or using an authorised person • by email. 	
Complete the <i>Candidate lodgement record</i> (Appendix 1) for your own records.	

Appendix 4. Candidate photograph checklist

Follow this checklist if you wish to submit a photograph for printing in the ballot pack sent to voters.	✓
Read the photograph specifications in chapter 2 of this handbook and the <i>Candidate photograph instructional sheet</i> .	
Find or take a photograph with a plain light-coloured background. Make sure your photograph has space around your head and shoulders and does not use digital zoom.	
Check your photograph has a high resolution for clarity when printing.	
Make sure your photograph meets all other format requirements.	
Use Candidate Helper to upload your photograph and print the completed statement lodgement form, or complete the form in the <i>Candidate information kit</i> .	
Before 12 noon on Monday 23 September 2024 , submit your photograph either: <ul style="list-style-type: none"> • by providing your statement lodgement form to the election manager, or • by email. 	
Update the <i>Candidate lodgement record</i> (Appendix 1) for your own records.	

Appendix 5. Candidate questionnaire checklist

Follow this checklist if you wish to submit a candidate questionnaire for publication on the VEC website.	✓
Check the election timeline for submission dates and times.	
Use Candidate Helper to complete and print the <i>Candidate questionnaire lodgement</i> form, or find one in the <i>Candidate information kit</i> and complete it.	
Complete the declaration on the form and sign it.	
Before 12 noon on Monday 23 September 2024 submit your completed form and any supporting documents in person, via an authorised person or by email.	
Update the <i>Candidate lodgement record</i> (Appendix 1) for your own records.	

Appendix 6. Group voting ticket/indications of preferences checklist

Follow this checklist if you wish to submit an group voting ticket or indication of preferences.	✓
Group voting ticket	
Read the instructions on how to complete a group voting ticket in chapter 4 of this handbook.	
Check the election timeline for submission dates and times.	
Following the ballot draw, use the ballot paper report the election manager will provide you to complete the form, ensuring your group voting ticket results in a formal vote.	
Lodge a group voting ticket with the election manager before the closing date. Groups of councillor election candidates must lodge a minimum of one and a maximum of two group voting tickets.	
Update the <i>Candidate lodgement record</i> (Appendix 1) for your own records.	
Indication of preferences	
Read the instructions on how to complete an indication of preferences in chapter 4 of this handbook.	
Check the election timeline for submission dates and times.	
Following the ballot draw, use the ballot paper report the election manager will provide you to complete the form, ensuring your indication of preferences results in a formal vote.	
Lodge the form with the election manager before the closing date.	
Update the <i>Candidate lodgement record</i> (Appendix 1) for your own records.	

Appendix 7. Election material and donation disclosure checklist

1. Printing and publishing electoral material.	✓
Familiarise yourself with the rules about authorisation of electoral material	
Check who you need to contact if you plan to place posters or billboards in public space	
Seek legal advice if unsure	
2. Disclosure of election campaign donations.	
Record all disclosable election donations and gifts, including in-kind, on the <i>Election campaign donation return</i> form.	
Lodge the form with the council chief executive officer by Thursday 5 December 2024 (40 days after election day). You must lodge a form, even if you didn't receive any donations or gifts.	

Appendix 8. Scrutineer appointment checklist

To appoint scrutineers:	✓
Obtain a <i>Melbourne City Council elections 2024 Scrutineer handbook</i> from the VEC website.	
Complete the <i>Appointment and declaration of scrutineer (MCC)</i> form for each scrutineer.	
Brief each scrutineer on their role.	
Notify scrutineers of the activity schedule.	
Each scrutineer must submit an <i>Appointment and declaration of scrutineer (MCC)</i> form with the candidate's original signature at each venue they attend.	

Appendix 9. Election compliance and complaints process

1. Election offences.	✓
Familiar yourself with the offences that exist for local council elections.	
Seek independent legal advice if uncertain.	
2. Alleged election offence complaints process:	
Is an offence being alleged under any Act or Regulations?	
Refer the matter to the VEC's Customer Feedback and Complaints Team directly at vec.vic.gov.au/about-us/complaints or by another method listed in 8. Feedback and complaints.	
Make sure your complaint is in writing.	



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