

OFFICE USE ONLY – receipt of form and deposit			RO USE ONLY
Division:	Time rec'd	Date	RO / ARO initials
Candidate name:	Receipt no.		Nomination accepted: Yes <input type="radio"/> No <input type="radio"/> RO signature:
	cash / cheque		

# Legislative Council – Nomination form (‘non-party’ candidates)

## What is this form for?

This form is to be used for nomination of a ‘non-party’ candidate for election to the Legislative Council.

**Do not use this form if you are nominated by a registered party.** Please contact the returning officer or the Tasmanian Electoral Commission for further information.

The following 2 parts must be completed and lodged:

**PART A: “Nominators”** — to be completed and signed by at least 10 enrolled electors

**PART B: “Candidate consent and declaration”** — to be completed and signed by the candidate nominated for the division.

## Who can nominate?

- A nomination of a person as a candidate must be signed by at least 10 nominators, other than the candidate.
- Each of the 10 nominators must be enrolled as an elector in the division for which the intending candidate is nominating.  
*Nominators who are unsure of their enrolment status should check before signing as a nominator. Enrolment can be checked by phone on 1800 801 701, or alternatively by visiting the website [www.aec.gov.au](http://www.aec.gov.au)*
- It is recommended that more than 10 electors sign as nominators to cover the event that one or more nominators are not eligible.

## How to lodge the form

- Completed forms must be lodged personally, emailed (as a scanned or photographed image) or posted so as to be **received by the returning officer** for the relevant division **before noon on nomination day**.
- The nomination is to be accompanied by \$400 in cash or a cheque drawn on itself by an authorised financial institution. Personal cheques will not be accepted. A nomination is not valid without receipt of this payment.
- It is advisable to lodge all nomination forms as early as possible to enable any problems to be rectified before nominations close.
- It is the **responsibility of the candidate** to ensure that the nomination form and the deposit are received by the returning officer for the relevant division before the close of nominations. Late nominations cannot be accepted.

## Candidate away and unable to sign?

If a candidate is away and unable to sign any part of this form, the returning officer may accept a completed and signed copy of those parts by email to add to the nomination form, provided all accompanying parts are received prior to close of nominations.

*Note:* Providing legal advice to candidates or parties is outside the role of the Tasmanian Electoral Commission and returning officers. Candidates unsure of their eligibility to nominate are strongly advised to obtain interpretation of the relevant legislation from their own legal advisers.

**Queries? Please contact the TEC - 1800 801 701**

# Part A – Nominators

We, the undersigned electors,  
 on the electoral roll for the division of ..... hereby nominate .....  
 as a candidate for election as a member of the Legislative Council for that division.

NOMINATOR DETAILS		(PLEASE PRINT)	
Nominators		Signatures	RMANS no. Office Use Only
1	Family name	Given names	
	Address		
2	Family name	Given names	
	Address		
3	Family name	Given names	
	Address		
4	Family name	Given names	
	Address		
5	Family name	Given names	
	Address		
6	Family name	Given names	
	Address		
7	Family name	Given names	
	Address		
8	Family name	Given names	
	Address		
9	Family name	Given names	
	Address		
10	Family name	Given names	
	Address		
	Family name	Given names	
	Address		
	Family name	Given names	
	Address		

Should you wish to provide additional nominators, please copy this sheet and attach.

Page ..... of.....

# Part B – Candidate consent and declaration

PLEASE PRINT

CANDIDATE NAME	Family name	Given names	Gender M <input type="radio"/> F <input type="radio"/> Other <input type="radio"/>
BALLOT PAPER NAME*	Family name	Given name	Date of birth ...../...../.....

\*Section 80(1) of the *Electoral Act 2004* provides that the candidate is to specify a ballot paper name which is to be the form of the person's name to appear on ballot papers for the election. Under section 80(2), the Electoral Commissioner may approve a ballot paper name, other than a form of the candidate's name, if satisfied that the person is commonly known by that name.

HOME ADDRESS	Address		
	Suburb	State	Postcode

POSTAL ADDRESS (if different from Home)	Address		
	Suburb	State	Postcode

CONTACT INFORMATION  (tick 'publish?' to show your consent to the public release of contact details)	Mobile ph	Publish? <input type="radio"/>	Other ph	Publish? <input type="radio"/>
	Email			Publish? <input type="radio"/>
	Website			Publish? <input type="radio"/>

OCCUPATION	
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## Candidate's consent and declaration

- I consent to being nominated as a candidate for election as a Member of the Legislative Council  
  
for the division of .....;and
- I declare that I am:
  - qualified under section 14 of the *Constitution Act 1934* to be elected as a member of the Legislative Council; and
  - not incapable of being elected as a Member under section 32 or 33 of the *Constitution Act 1934*.
- I am not a candidate nominated by a registered party.
- I wish that the word 'independent' appear on the ballot paper under my name: Yes  No

Declared at: ....., this ..... day of..... 20.....

Candidate signature: .....

# Candidate eligibility

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The following sections of the *Constitution Act 1934* and the *Electoral Act 2004* relate to a person's eligibility to be nominated and elected. They may be viewed online at [www.thelaw.tas.gov.au](http://www.thelaw.tas.gov.au).

## *Constitution Act 1934*

### Section 14 (Qualifications of Members)

The section sets out some qualifications including requirements for residency in Tasmania.

### Section 32 (Office of profit)

Must be read in conjunction with section 2 of the Constitution (State Employees) Act 1944.

### Section 33 (Contractors)

When reading this section, please note that under section 33(4), a candidate is not disqualified from being elected if the contract or agreement was entered into prior to nomination and is effectually terminated or rescinded within 6 months after their election.

## *Electoral Act 2004*

### Section 75 (Persons who may be nominated and elected)

### Section 76 (Persons ineligible for nomination)

**Candidates unsure of their eligibility to nominate are strongly advised to obtain interpretation of the relevant legislation from their own legal advisers.**

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Personal Information Protection Statement (required under the *Personal Information Protection Act 2004*).

1. Personal information will be collected from you for the purpose of your nomination for Legislative Council elections and will be used by the Tasmanian Electoral Commission for assessing and managing the nomination, and may be used for other purposes permitted by the *Electoral Act 2004* and regulations made by or under that Act.
2. Failure to provide this information may result in your nomination not being able to be accepted and processed.
3. Your personal information will be used for the primary purpose for which it is collected and may be disclosed to contractors and agents of the Tasmanian Electoral Commission.
4. Your basic personal information may be disclosed to other public sector bodies where necessary for the efficient storage and use of the information.
5. Personal information will be managed in accordance with the *Personal Information Protection Act 2004* and may be accessed by the individual to whom it relates on request to the Tasmanian Electoral Commission. You may be charged a fee for this service.