

Approved Form

Required by the *Electoral Act 2004*, sections 77(2) and 77(5)

Approved by the Tasmanian Electoral Commission on 29 November 2023

The Tasmanian Electoral Commission (TEC) approves, under section 77 of the *Electoral Act 2004*, the attached Legislative Council nomination forms for both registered party and non-party candidates, dated November 2023.

Legislative Council nomination form

'Non-party' candidate

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.

Two parts must be completed before lodging the form:

PART A: "Nominators" – to be completed and signed by at least 10 enrolled electors enrolled in the division.

PART B: "Candidate consent and declaration" – to be completed and signed by the candidate nominated for the division.

Who can nominate?

Section 77(2) of the *Electoral Act 2004* provides that 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.

- » 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 this 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?

Parts A and B may be completed on different forms provided that both Parts, together with the nomination deposit, are received by the returning officer prior to the 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

OFFICE USE ONLY - receipt of form and deposit			RO USE ONLY	
Division			Nomination accepted: Y <input type="checkbox"/> N <input type="checkbox"/>	
Candidate name			RO signature	
Time received	Date	RO/ARO initials		
Receipt no.		cash / cheque		

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)

OFFICE USE

1	Family name	Given name	Signature
	Enrolled address		
2	Family name	Given name	Signature
	Enrolled address		
3	Family name	Given name	Signature
	Enrolled address		
4	Family name	Given name	Signature
	Enrolled address		
5	Family name	Given name	Signature
	Enrolled address		
6	Family name	Given name	Signature
	Enrolled address		
7	Family name	Given name	Signature
	Enrolled address		
8	Family name	Given name	Signature
	Enrolled address		
9	Family name	Given name	Signature
	Enrolled address		
10	Family name	Given name	Signature
	Enrolled address		
11	Family name	Given name	Signature
	Enrolled address		

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

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Part B – Candidate consent and declaration

Candidate details (please print)

Family name	Given names
Date of birth	Gender <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> Other

Ballot Paper Name*

Family name	Given name
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*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 the 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.

Residential address

Locality	State	Postcode
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Postal address
(if different from residential)

Locality	State	Postcode
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Main Occupation

Contact information

Tick 'Publish' to show your consent to the public release of contact details on request.

Mobile phone	Publish? <input type="checkbox"/>	Other phone	Publish? <input type="checkbox"/>
Email			Publish? <input type="checkbox"/>
Website			Publish? <input type="checkbox"/>

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 (location)	Signature of candidate
Date	

Candidate eligibility

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.

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.

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

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 (TEC) 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 TEC.
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 *PIP Act* and may be accessed by the individual to whom it relates on request to the TEC. You may be charged a fee for this service.