

# Scrutineer and party/candidate worker guidelines

## Party/candidate workers

Party or candidate workers act on behalf of candidates and/or registered political parties to distribute electoral material (how to vote material) at voting locations. They are not required to complete any appointment forms to engage in this task.

## How do I become a scrutineer?

A person who intends to act as a scrutineer must be appointed in writing using the **Appointment of scrutineer form LG.213**.

For elections for councillors and mayors, a scrutineer may only be appointed by a candidate.

Once appointed, scrutineers will be issued with a scrutineer identification and a purple NSW Electoral Commission vest that must be worn at all times when undertaking scrutineer tasks.

## Scrutineers

Scrutineers represent the interest of their candidate and advise them on the procedures being followed by the NSW Electoral Commission, the returning officer, polling place manager and election officials.

The scrutineer's role is to satisfy the candidate that the election process is carried out fairly, impartially and with integrity.

A scrutineer's presence provides an additional level of assurance to political participants and the public regarding the integrity of the election process.

Scrutineers have the right to observe all stages of voting, scrutiny of declaration envelopes and counting of ballot papers.

### Scrutineers can:

- inspect ballot boxes before the commencement of voting
- be present when an elector who requires assistance to vote has ballot papers marked by an election official
- witness the opening/closing of voting centres
- observe all ballot paper counting, both manual and data entry (as applicable) in voting and count centres
- object to the formality of a ballot paper
- observe all processes in relation to the scrutiny of postal and declaration vote envelopes
- counter-sign forms as required by election officials
- enter and leave the voting centre at any time and be replaced by another properly appointed scrutineer
- communicate with any person in a voting centre as is necessary in discharge of their duties.

### Scrutineers cannot:

- interfere with, or attempt to influence, any elector within a voting centre
- cause unnecessary delays when observing processes at election venues
- provide assistance to an elector to mark their ballot paper
- obstruct the access or approaches to a voting centre
- ignore lawful directions of the election manager, early voting centre manager, election official or NSW Electoral Commission staff
- handle or touch ballot papers or declaration envelopes.

## COVID-19 Safety Protocol for Scrutineers for the Local Government by-elections

The Electoral Commission acknowledges the importance of scrutineering in ensuring confidence in the electoral process. However, for the safe conduct of the by-elections, due to the COVID-19 pandemic, the following protocols must be followed:

- the total number of scrutineers present in an election venue at any time will be limited by the NSW Electoral Commission to maintain a COVID-safe venue capacity of 1 person per 4 square metres
- the number of scrutineers permitted at each venue will be limited to 1 per candidate
- at most election venues candidates can safely send one scrutineer without obtaining the NSW Electoral Commission's prior permission, subject to the usual requirements for appointing scrutineers
- at some smaller election venues, however, the NSW Electoral Commission may notify candidates that COVID-safe venue capacity could be exceeded by the attendance of one scrutineer each, and in those cases proposed scrutineers must first seek permission to attend by pre-registering their attendance
- in the cases that pre-registration is required, candidates will be informed and pre-registration for a venue may be done by way of telephone to the Candidates Helpdesk on 1300 022 011 or by email to [candidates@elections.nsw.gov.au](mailto:candidates@elections.nsw.gov.au)
- permission for a pre-registered scrutineer to attend at a venue at the proposed time and date will be granted on a 'first come first served' basis
- if a scrutineer's application to register to attend at a particular venue, where required, would mean the venue's COVID-safe capacity was exceeded, the NSW Electoral Commission may arrange for scrutiny by way of attendance at:
  - an alternative venue within the same district, or
  - an alternative time at the same venue
- scrutineers must maintain a physical distance of 1.5m from any other person in attendance at an election venue at all times which shall be maintained by way of:
  - Scrutineers refraining from shaking hands or attempting to do so,
  - Scrutineers only inspecting ballot papers when the relevant election official has stepped away to allow the scrutineer to step closer, and not returning until the scrutineer has again moved away 1.5m, and
  - Scrutineers being permitted reasonable use of their own devices within an election venue to assist them to see electoral officials undertake their voting or counting duties better where it is not practicable to stand only 1.5m away
- scrutineers must not attend any election venue if they have not been fully vaccinated for COVID-19 (or do not have a medical contraindication in the correct form from their doctor, using the NSW Health form)
- scrutineers must show evidence to staff of the NSW Electoral Commission before they enter any election venue that they have had two doses of a COVID-19 vaccination (or have a medical contraindication in the correct form from their doctor, using the NSW Health form)
- scrutineers must check-in using the Service NSW QR Code or manually register if they do not have a smartphone, must wear a mask at all times in election venues and comply with all hand hygiene directions from staff of the NSW Electoral Commission
- additional scrutineers beyond one per candidate may be permitted, on a 'first come first served' basis where the venue capacity of 1 person per 4 square metres would not be exceeded. Additional scrutineers may be directed to leave an election venue, however, at any time venue capacity may be exceeded
- in attending an election venue, scrutineers acknowledge that they are visitors to NSW Electoral Commission workplaces and have responsibilities under work health and safety laws to take reasonable steps to reduce the risk of their actions causing harm to other persons on the premises, including Electoral Commission staff and other scrutineers.

### Use of mobile phones or other electronic equipment

Scrutineers cannot use mobile phones or other electronic equipment to film or record processes inside a voting centre.

Scrutineers may use mobile phones inside one of these locations to talk to, or text, another person, as long as the noise level does not interfere with the electoral process being undertaken.

## **Distribution and display of electoral material**

Electoral material (how to vote material) may be handed out and posters displayed at voting centres provided the material and/or posters meet the requirements of the Local Government (General) Regulation 2021. In general, the following applies:

- electoral material and/or posters cannot be distributed or displayed inside the voting centre
- electoral material and/or posters cannot be displayed or handed out within 6 metres of the entrance to the voting centre
- posters cannot be displayed on the exterior of a building used as a voting centre, and
- a person cannot canvass or solicit for votes, or induce an elector to vote for a particular candidate or group using a loudspeaker, sound system, radio equipment, etc where that activity is audible within the voting centre.

## **Early voting electoral material**

There is no requirement for electoral material and/or posters distributed or displayed at early voting centres to be registered with the Electoral Commissioner. However, the electoral material and/or posters must comply with the requirements of the Local Government (General) Regulation 2021.

## **Storage of electoral material/posters**

No electoral material or posters may be stored in a pre-poll venue overnight.

## **Enquiries or complaints**

Enquiries or complaints regarding electoral material should be directed to the NSW Electoral Commission by one of the following means:

- complaints and enquiries about electoral material should be made in writing via [elections.nsw.gov.au/feedback](https://elections.nsw.gov.au/feedback) or via [candidates@elections.nsw.gov.au](mailto:candidates@elections.nsw.gov.au). A complaint should include a copy of the electoral material. For electoral material published on the internet, a URL link or the name of a social media account and a screenshot should be provided
- enquiries may be made via the helpdesk on 1300 022 011.

## **Acceptable behaviour**

Candidates, party workers and scrutineers are expected to behave in a professional manner, take responsibilities for their own conduct and to be respectful to each other, NSW Electoral Commission staff and to electors.