

# Nomination for Mayor or Councillor – registered political party nomination

## Local Government by-elections

### Candidate

A candidate must be enrolled in the council area for which they are nominated.

**Enrolled means:** enrolled on the residential roll, the non-residential roll or the roll of occupiers and ratepaying lessees by the close of rolls for the election.

**Note:** See over page for more information and provisions of the *Local Government Act 1993* about qualification and disqualification for civic office.

### City of Sydney

In the City of Sydney Council, a candidate for Lord Mayor must also be a candidate for Councillor. If elected as Lord Mayor the person must accept that office and cannot be elected as Councillor.

### General information

- The candidate, and where applicable the Registered Officer/Deputy Registered Officer of the registered political party, must complete Parts A, B, and C of this form. Part D is optional.
- The nomination must be accompanied by a nomination deposit of \$125.00 per position.
- The deposit must be in the form of cash or by bank cheque or credit union or building society cheque made out to the NSW Electoral Commission. Payment cannot be made by personal cheque, company cheque, money order, BPay, EFTPOS or credit card.

### Councillor request to form a group

In an election where there are 2 or more Councillors to be elected, 2 or more candidates may request to form a group on the ballot paper by lodging a **Request to form a group LGBY.204** form with the Returning Officer prior to the close of nominations. Individual nomination forms must also be lodged.

The nomination deposit is capped at \$625 for a group of 6 or more.

### Lodgement of nominations

A completed nomination form, nomination deposit, and request to form a group (if applicable), can only be lodged between the close of roll date and 12 noon on nomination day.

Please refer to the NSW Electoral Commission website [elections.nsw.gov.au](http://elections.nsw.gov.au) for the election calendar and location of returning officer's offices.

### Amendments to a nomination form

Once a nomination form has been lodged, amendments to the following details will only be accepted by the Returning Officer if an **Amendment to a nomination LGBY.232** form completed by the candidate is lodged before 12 noon on nomination day.

Amendments to the following details on a nomination form will only be accepted by the Returning Officer if the candidate completes the **Amendment to a nomination LGBY.232** form:

- Candidate contact details; or
- Ballot paper given name

### Election campaign finances

Candidates and groups must not accept political donations or make payments for electoral expenditure before 12 noon on nomination day unless they first register with the NSW Electoral Commission. Registration forms must be lodged by 12 noon on nomination day.

To apply to be registered go to Funding and Disclosure Online at: [elections.nsw.gov.au/Funding-and-disclosure](http://elections.nsw.gov.au/Funding-and-disclosure)

Members of a group, who are not the lead candidate, should apply to register as candidates first, so that the lead candidate can then easily register the group.

If you are the lead candidate of a group, you can apply to be registered as a candidate and apply for the group to be registered in the same online application. When completing the application you can search for and select the registered candidates who are members of the group.

For more information about the registration process refer to the Candidate Handbook or go to [elections.nsw.gov.au](http://elections.nsw.gov.au). If you have any questions about the registration process or accessing and using our online services contact us on 1300 022 011 or send us an enquiry using the [Contact Us](#) form on our website ([elections.nsw.gov.au](http://elections.nsw.gov.au)).

## Local Government Act 1993

Please note these provisions are current at the time of printing (February 2021). You should refer to the latest version of the Local Government Act on the NSW Legislation website [legislation.nsw.gov.au/view/html/inforce/current/act-1993-030](http://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030) and obtain independent legal advice if uncertain whether you are disqualified from holding civic office.

### 274 What are the qualifications for civic office?

A person is qualified to hold civic office if—

- (a) the person is entitled to be enrolled as an elector, and
- (b) the person is not disqualified from holding civic office by this Act, and
- (c) the person is not prevented from being elected to civic office by section 276(2).

### 275 Who is disqualified from holding civic office?

(1) A person is disqualified from holding civic office—

- (a) while disqualified from being an elector, or
- (a1) while a member of the Parliament of New South Wales, except as provided by subsections (5) and (7), or
- (b) while a judge of any court of the State or the Commonwealth, or
- (c) while serving a sentence (including a sentence the subject of an intensive correction order) for a serious indictable offence or any other offence, except a sentence imposed for a failure to pay a fine, or
- (d) if he or she is while holding that office, or has been within 2 years before nomination for election, election or appointment to the office, convicted of an offence under the regulations made for the purposes of section 748(3), or
- (e) if he or she is while holding that office, or has been within 7 years before nomination for election, election or appointment to the office, convicted in New South Wales of an offence that is punishable by imprisonment for 5 years or more, or convicted in another State or Territory, or under a law of the Commonwealth, of an offence that, if committed in New South Wales, would be an offence so punishable, or
- (e1) if he or she is while holding that office, or has been within 2 years before nomination for election, election or appointment to the office, convicted of an offence under the *Election Funding, Expenditure and Disclosures Act 1981* or the *Electoral Funding Act 2018* that is punishable by imprisonment for 2 years or more, or
- (f) while a surcharge, payable by the person under Part 5 of Chapter 13 and not paid within 6 months after it became payable, remains unpaid, or
- (g) while disqualified from holding a civic office under a provision of this Act or Part 4A of the *Crimes Act 1900* (Corruptly receiving commissions and other corrupt practices), or
- (h) while disqualified from managing a corporation under Part 2D.6 of the *Corporations Act 2001* of the Commonwealth.

(1A) If—

- (a) an order for suspension from civic office for misconduct is made (after the commencement of this subsection) against a person under this Act by the Departmental Chief Executive or the Civil and Administrative Tribunal on a referral from the Departmental Chief Executive, and
- (b) it is the third or subsequent such order that has been made against the person (including orders made before the commencement of this subsection),

the person is disqualified from holding civic office for 5 years after the date the order takes effect.

- (2) A person is disqualified from holding civic office on a council if he or she is an employee of the council or holds an office or place of profit under the council.
- (3) A person is not disqualified from holding a civic office only because, while holding the civic office, the person ceases to be a resident in the area, to own property in the area or to be an occupier or ratepaying lessee of rateable land in the area.
- (4) A person is taken not to be disqualified from holding civic office if the former Administrative Decisions Tribunal or the Civil and Administrative Tribunal, in proceedings under section 329, has refused to order the dismissal of the person in circumstances to which subsection (4) of that section applies.
- (5) If—
  - (a) on the commencement of this subsection, a member of the Parliament of New South Wales is a councillor or mayor, or
  - (b) after the commencement of this subsection, a councillor or mayor becomes a member of the Parliament of New South Wales,the person is not disqualified from holding civic office because of subsection (1)(a1) for the balance of the person's term of office as a councillor or for the period of 2 years (whichever is the shorter period).
- (6) Subsection (5) does not apply where a councillor or mayor becomes a member of the Parliament of New South Wales after the commencement of that subsection and within 12 months after last ceasing to be a member of that Parliament.
- (7) Despite anything to the contrary in this Chapter, a member of the Parliament of New South Wales is not disqualified because of subsection (1)(a1) from being nominated for election or being elected to a civic office. If elected, the person is disqualified from holding that civic office unless—
  - (a) the person has ceased to be a member of that Parliament before the first meeting of the council concerned after the election, or
  - (b) it is an election as mayor by the councillors during the period that the person is not disqualified by the operation of subsection (5).

**Note**—If a person while holding civic office becomes subject to disqualification under this section, the office becomes vacant under section 234.

### 276 What is the effect of disqualification?

- (1) A person who is disqualified from holding civic office may not be elected or appointed to a civic office and may not hold, or act in, a civic office.
- (2) A person who vacates the office of councillor by resignation or disqualification may not be elected to a civic office in the same area (and may not hold, or act in, a civic office in the same area) until—
  - (a) if the person is not disqualified—the first anniversary of the vacation of office, or the next ordinary election for the area (whichever occurs first), or
  - (b) if the person is disqualified—the first ordinary election after the person ceases to be disqualified.
- (3) A person convicted of an offence under Part 6 of Chapter 16 for acting in a civic office while disqualified under section 275—
  - (a) is disqualified from holding civic office for 7 years from the time of conviction, unless the court determines a shorter period, and
  - (b) is not entitled to receive or recover from the council any money relating to the civic office in respect of the period in which the person is disqualified.
- (4) The council may, within 2 years after the person so convicted receives money from the council relating to the civic office in respect of the period in which the person is disqualified, recover the money from the person as a debt.

### 283 Double candidature

- (1) A person may be a candidate for election as mayor and a candidate for election as a councillor at the same time.
- (2) If a person is elected by the electors as mayor and the person is also a candidate for election as a councillor, the votes cast for the person as a councillor are not to be counted for that person but are to be distributed as prescribed by the regulations.

# Nomination for Mayor or Councillor – registered political party nomination

## Local Government by-elections

**Instructions:** This form **must** be accompanied by the nomination deposit of \$125 per candidate (capped at \$625 for a group of 6 or more if the nomination deposit for the group is paid when lodging together with the **Request to form a group LGBY.204** form). It is the responsibility of candidates to ensure that all applicable forms and the deposit are lodged from 9am on commencement of nominations to 12 noon on nomination day. Hard copy (physical) nominations must be lodged with the Returning Officer of the local government area being contested. For information visit: [elections.nsw.gov.au](http://elections.nsw.gov.au) or call the candidate helpdesk on 1300 022 011.

**Privacy statement:** NSW Electoral Commission collects information on this form for the purposes of processing nominations, to contact candidates and nominators to send information, reminders or surveys about the election and to support our functions. Our staff and contractors have access to the information in this form. We may disclose this information to third-party providers to carry out our functions, and to others if legally required or authorised. We publish the candidate’s name and enrolled suburb, town or locality on our website, and if elected, we provide the candidate’s contact details to parliament. If the information required by this form is not provided, we may not be able to process this nomination. See the [Privacy Management Plan](#) on our website about access to and correcting your personal information.

### Part A – Candidate details

I, the person whose name appears at Part B of this form, as the Registered Officer or Deputy Registered Officer for the political party (registered in the Local government register of political parties) that has endorsed the person proposed for nomination, propose for nomination:

SURNAME OF CANDIDATE (AS ENROLLED)		
	DD / MM / YYYY	
GIVEN NAME(S) OF CANDIDATE (AS ENROLLED)		DATE OF BIRTH
PLACE OF RESIDENCE (AS ENROLLED)	SUBURB/TOWN	POSTCODE
FOR ELECTION AS (WRITE EITHER COUNCILLOR OR MAYOR)	TO BE HELD IN COUNCIL (WRITE COUNCIL NAME)	
WARD (WRITE WARD NAME IF APPLICABLE)	ON SATURDAY (WRITE DATE OF ELECTION)	

### Candidate contact details

**For contact by the NSW Electoral Commission only (please print clearly).**

**Note:** If elected, your contact details will be provided to Council by the NSW Electoral Commission.

MOBILE NUMBER	DAYTIME CONTACT NUMBER
EMAIL ADDRESS	

**Public and media:** Please provide contact details for release to the public and media via the NSW Electoral Commission website. You may complete none, some or all of this section. Please ensure you have approval from your employer and/or council (if you are a current elected Mayor or Councillor) to use a work email address, work website or work contact phone number for public display. Please note: contact details will not be amended on the NSW Electoral Commission website following 12 noon nomination day.

MOBILE NUMBER	DAYTIME CONTACT NUMBER
EMAIL ADDRESS	
WEBSITE	

Part A – Candidate details (continued)

Ballot paper details

I, the above named candidate:

1. Request that my name should be printed on the ballot-papers for the election in the following form:

<input type="text"/>	<input type="text"/>
SURNAME (AS ENROLLED)	GIVEN NAME (AS ENROLLED - SEE NOTE 2 BELOW)
<input type="text"/>	
NAME OF REGISTERED POLITICAL PARTY	

As specified by the Registered Officer I request that the Registered name **OR** Registered abbreviation of the Registered Political Party as specified by the Registered Officer be printed adjacent to the candidate's name on the ballot paper.

Candidate consent

2. Declare that to the best of my knowledge and belief **(please tick one box)**

I was enrolled as an elector for the area as at the closing date for the election, **OR**  
 My name has been mistakenly or accidentally omitted from the roll of electors.

3. Consent to being proposed for nomination.

4. Declare that, to the best of my knowledge and belief,  I am  I am not **(tick one box)** a property developer (within the meaning of Division 7 of Part 3 of the *Electoral Funding Act 2018*)

Note:

- See the attached page for the provisions of the *Local Government Act 1993* covering qualification and disqualification for a civic office.
- An alternative form of a candidate's given name may only be:
  - an initial standing for that name, or
  - a commonly accepted variation of the name (including an abbreviation or truncation of that name or an alternative form of that name), or
  - a commonly used other name specific to the candidate by which the candidate is usually identified (if the returning officer is satisfied that the proposed name is a commonly used other name specific to the candidate by which the candidate is usually identified), will be printed in brackets next to the candidate's enrolled given name).
- In item 4, a property developer (within the meaning of Division 7 of Part 3 of the *Electoral Funding Act 2018*) includes a close associate of a property developer.
- Please ensure you have read and ticked all relevant boxes above before signing your consent to your nomination.

<input type="text"/>	<input type="text" value="DD / MM / YYYY"/>
SIGNATURE OF CANDIDATE	DATE

ELECTION OFFICIAL/NSW ELECTORAL COMMISSION USE ONLY

<input type="text" value="DD / MM / YYYY"/>	<input type="text" value=":"/> <input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="text"/>
DATE RECEIVED	TIME RECEIVED	DEPOSIT RECEIPT NUMBER
<input type="text"/>		<input type="text"/>
ELECTION OFFICIAL NAME		ELECTION OFFICIAL SIGNATURE

## Part B – Registered political party nominator details

I am the  Registered officer **OR**  Deputy registered officer  
of the following registered political party (please tick one box only).

SURNAME OF REGISTERED OFFICER/DEPUTY REGISTERED OFFICER

GIVEN NAME(S) OF REGISTERED OFFICER/DEPUTY REGISTERED OFFICER

NAME OF REGISTERED POLITICAL PARTY IN FULL

I hereby nominate   
CANDIDATE NAME IN FULL

As a candidate for  Councillor or **OR**  Mayor (please tick one box only)

LOCAL GOVERNMENT (COUNCIL) AREA

WARD (IF APPLICABLE)

SIGNATURE OF REGISTERED OFFICER/DEPUTY REGISTERED OFFICER

DATE

### Note to candidate – further material required

#### Mayor or ungrouped councillor candidate

I enclose the nomination deposit of \$125.00 (compulsory)

I have completed **Part A - Candidate details, Part B - Registered political party nominator details and Part C - Candidate information sheet** (compulsory)

I have completed **Part D – Nomination deposit return**, required for nomination deposit to be returned)

#### Grouped councillor candidate

I have completed **Part A - Candidate details, Part B - Registered political party nominator details and Part C - Candidate information sheet** (compulsory)

I have completed **Request to form a group LGBY.204** form (compulsory)

**Note:** in an election where there are 2 or more Councillors to be elected, 2 or more candidates may request to form a group on the ballot paper by lodging a **Request to form a group LGBY.204** form with the Returning Officer prior to the close of nominations. Individual nomination forms must also be lodged.

Where a **Request to form a group LGBY.204** form is lodged the nomination deposit is capped at \$625 for a group of 6 or more. The nomination deposit for the group must be paid when lodging the **Request to form a group LGBY.204** form.

### ELECTION OFFICIAL/NSW ELECTORAL COMMISSION USE ONLY

AM  PM   
DATE RECEIVED TIME RECEIVED DEPOSIT RECEIPT NUMBER

ELECTION OFFICIAL NAME ELECTION OFFICIAL SIGNATURE

## Part C – Candidate information sheet

**Note:** The *Local Government Act 1993* requires all candidates to complete a Candidate Information Sheet (CIS) in the form of a statutory declaration as part of their nomination. The NSW Electoral Commission is required to publish the content of the Candidate Information Sheet on the NSW Electoral Commission website and to make the CIS available for inspection at the returning officer's office and polling places. Candidate information must be written clearly or typed on this form. The CIS will be displayed as received by the Returning Officer. Attachments will not be accepted.

### Section 1: Compulsory (you must complete all fields in Section 1)

<input type="text"/>	<input type="text"/>
CANDIDATE'S FULL NAME	SUBURB, TOWN OR OTHER LOCALITY OF THE CANDIDATE'S ENROLLED ADDRESS
<input type="text"/>	<input type="text"/>
MEMBER OF ANY REGISTERED POLITICAL PARTY AND THE NAME OF THE PARTY (insert "nil" if not applicable)	ENROLMENT QUALIFICATION (insert "Residential roll" or "Non-Residential roll" or "Roll of occupiers/rate paying lessees")

I am a property developer  I am not a property developer (tick one box only)

**Note:** 'property developer' has the meaning of Division 7 of Part 3 of the *Electoral Funding Act 2018* and includes a person who is a close associate of a property developer.

### Section 2: Optional (you may complete none, some or all of Section 2)

<input type="text"/>	<input type="text"/>	<input type="text"/>
QUALIFICATIONS (ACADEMIC/TRADE/PROFESSIONAL)	EMPLOYMENT	MEMBERSHIP OF ORGANISATION(S)

I have been nominated as a candidate by the following registered political party (insert "nil" if not applicable)

<input type="text"/>	<input type="text"/>
	DATE OF BIRTH

Other information relating to my experience, ability and aptitude to hold civic office:  
(may include statements of beliefs and policies – all information must be restricted to the space provided below).

## Statutory declaration (*Oaths Act 1900* (NSW) Eighth Schedule)

**Note:** Only certain people are authorised to witness a NSW statutory declaration. We recommend either a:

- Justice of the peace – please note the NSW JP Public Register
- Public notary
- Lawyer (with a current practising certificate).

I, , do solemnly and sincerely declare that the facts provided in  
NAME

Part C Sections 1 and 2 of this Candidate Information Sheet are complete and accurate and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1900*.

<input type="text"/>	Declared at <input type="text"/>	on <input type="text"/>
CANDIDATE'S SIGNATURE	PLACE	DATE

In the presence of an authorised witness, who states:

I, , a   
NAME OF AUTHORISED WITNESS QUALIFICATION OF AUTHORISED WITNESS

certify the following matters concerning the making of this statutory declaration by the person who made it:

\*Please cross out any text that does NOT apply

1. \*I saw the face of the person **OR** \*I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering, **and**
2. \*I have known the person for at least 12 months **OR** \*I have confirmed the person's identity using an identification document and the document I relied on was:

<input type="text"/>	<input type="text"/>	<input type="text"/>
DESCRIBE IDENTIFICATION DOCUMENT RELIED ON	SIGNATURE OF AUTHORISED WITNESS	DATE

## Part D – Nomination deposit return

**Note:** Part D is only to be completed by candidates who are paying their nomination deposit individually.

In the instance a group is being formed and the nomination deposit is being paid at once please complete the **Request to form a group LGBY.204** form.

<input type="text"/>	<input type="text"/>
COUNCIL	WARD (IF APPLICABLE)
<input type="text"/>	<input type="text"/>
SURNAME OF CANDIDATE	GIVEN NAME(S) OF CANDIDATE

## Details of person to receive deposit

<input type="text"/>			
CONTACT NAME			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
POSTAL ADDRESS	SUBURB	STATE	POSTCODE
<input type="text"/>			
PHONE NUMBER			
<input type="text"/>			
EMAIL ADDRESS FOR REMITTANCE ADVICE			

I enclose the sum of \$125 for a candidate for Mayor or ungrouped Councillor candidate in the form of:

- Cash
- Cheque (drawn by an authorised deposit taking institution, that is bank cheque or building society cheque only.  
Personal cheques not accepted)

<input type="text"/>
\$
AMOUNT OF NOMINATION DEPOSIT

## Bank account details to receive nomination deposit return

<input type="text"/>	<input type="text"/>	
BANK NAME	BRANCH NAME	
<input type="text"/>		
BANK ACCOUNT NAME		
<input type="text"/>	<input type="text"/>	<input type="text"/>
BSB NUMBER	BANK ACCOUNT NUMBER	
<input type="text"/>	<input type="text"/>	
SIGNATURE OF CANDIDATE	DATE	

ELECTION OFFICIAL/NSW ELECTORAL COMMISSION USE ONLY

<input type="text"/>	<input type="text"/>	<input type="checkbox"/> AM	<input type="checkbox"/> PM
DATE RECEIVED	TIME RECEIVED		
<input type="text"/>	<input type="text"/>		
DEPOSIT AMOUNT \$	DEPOSIT RECEIPT NUMBER		
<input type="text"/>	<input type="text"/>		
ELECTION OFFICIAL NAME	ELECTION OFFICIAL SIGNATURE		