

Scrutineer and party/candidate worker guidelines – voting centres

A voting centre can be a pre-poll voting office, a declared institution or a polling place on election day. Locations can be found on the NSW Electoral Commission website elections.nsw.gov.au

Party/candidate workers

Party or candidate workers distribute electoral material (how-to-vote material) on behalf of candidates, political parties and others. They are not required to complete any appointment forms to engage in this task.

Electoral material and posters

Strict laws apply to the content, proper authorisation, display and distribution of electoral material (including how-to-vote material) and posters during an election. More information can be found on the NSW Electoral Commission website elections.nsw.gov.au.

Note:

- electoral material and posters cannot be distributed or displayed inside the voting centre
- electoral material and posters cannot be distributed or displayed 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 within 6 metres of the entrance to the voting centre.

Electoral material distributed on election day **must be registered** with the NSW Electoral Commission. Registered electoral material is available on the NSW Electoral Commission website elections.nsw.gov.au from 8am on the Monday two weeks prior to election day until 6pm on election day.

Electoral material distributed before election day is not required to be registered with the NSW Electoral Commission. Posters displayed before or on election day are not required to be registered.

Storage of electoral material/posters

Party or candidate workers may be allowed to store posters and electoral material in the pre-poll voting office overnight. The materials must be collected before voting commences each day.

Materials that are not collected will remain in covered storage until collected by the party/candidate worker. The responsibility lies with each party/candidate worker for the display of their own posters and distribution of electoral material each day.

Movement of ballot boxes

Ballot boxes will be moved during the pre-poll period to the Returning Officer's office for secure storage.

This relocation of ballot boxes is permitted by law and there are processes in place to ensure a robust audit trail of ballot box movements:

- all ballot boxes are sealed and those seal numbers are recorded by election officials
- when the ballot boxes are collected the security seal is recorded by the election official collecting the ballot boxes
- the number is also recorded at the Returning Officer's office on receipt, and the Returning Officer signs for the ballot box
- the Returning Officer then stores the ballot boxes from the voting centre in a secure zone until they are required for scrutiny and counting.

Acceptable behaviour

Candidates, party and candidate workers, and scrutineers are expected to behave in a professional manner and be respectful to each other, NSW Electoral Commission staff and to electors.



Enquiries or complaints about electoral material

Enquiries or complaints regarding electoral material should be made in writing via elections.nsw.gov.au/feedback or via 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.

Role of a scrutineer

A scrutineer represents a candidate or a group of candidates.

The role of a scrutineer is to observe election processes to see that rules are followed fairly and impartially. A scrutineer's presence provides an additional level of assurance to political participants and the public regarding the integrity of the election process.

Any concern a scrutineer has about the conduct of the election can be raised with the election official in charge at the relevant location, or with the Returning Officer.

This document provides guidance only, it is not a substitute for the laws which govern the conduct of an election, nor does it provide legal advice. If there is doubt about any legal matters regarding an election, independent legal advice should be sought.

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 or other appointed person
- observe the issuing of ordinary votes and declaration votes
- witness the opening/closing of a voting centre
- 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
- provide assistance to an elector to mark their ballot paper
- obstruct the access or approaches to a voting centre
- ignore lawful directions of the Returning Officer, Pre-poll Manager, Polling Place Manager, or Election Official
- handle or touch ballot papers or declaration vote envelopes.

How do I become a scrutineer?

A scrutineer must be appointed in writing using the form **Appointment of scrutineer LG.213**.

For mayor and councillor elections, a scrutineer may only be appointed by a candidate. For constitutional referendums and polls, scrutineers may only be appointed by the Returning Officer (at the request of the general manager or mayor), the Electoral Commissioner, or a registered political party.

Use of mobile phones or other electronic equipment

Scrutineers cannot use mobile phones or other electronic equipment to film, photograph 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.

Counting and results

Counting of pre-poll votes will commence in the Returning Officer's office from 6pm on election night and will continue after election day. An initial count of election day votes will take place in the polling place from 6pm on election night. These ballot papers will be check-counted in either the Returning Officer's office or a centralised count centre in the week(s) after election day. Scrutineers can be present for these counts. See also **Scrutineer guidelines – Scrutiny and counting LGBY.233B**. Further details regarding the location and operating hours of Returning Officer's offices are available on the NSW Electoral Commission website elections.nsw.gov.au.

Scrutineer policy

The NSW Electoral Commission's full **Scrutineer policy LG.215** is available from elections.nsw.gov.au.