

Local Government Amendment (Elections) Bill 2008 Bill Summary

- Caretaker period reduced from 57 days to 32 days
 - This period will be more like State and Federal elections
 - During caretaker periods – council's may not enter into major contracts, hire or fire the CEO or publish electoral material unless it is only about the election process
- All nominations to close 32 days before election day
 - Currently 31 days for attendance elections and 32 days for postal elections
- Nominations to close at 12 noon, as in State elections
 - Currently 4pm
- Minister may set by-election date 150 days after vacancy, if needed to avoid enrolment or voting processes during the Christmas & New Year holiday period.
- Candidates must nominate in person or provide statutory declaration
 - Ensures legitimacy of candidature
 - Ensures returning officer can advise candidates about the process
- Person dismissed from council for a specific failure of duty may not nominate for the council for four years
 - If failed to take oath of office
 - If absent from 4 consecutive ordinary council meetings without leave
 - If dismissed for failing to attend and remain at a call of the council.
(This will not apply to people dismissed prior to the passing of the Bill)
- Enrolments of corporation representatives expire at next election
 - Currently applies for corporations that only occupy rateable property
 - Extended to all corporations (i.e. including property owning corporations)
 - Not for City of Melbourne (completely different corporations franchise)
- Owning or occupying a single car space or mooring no longer an entitlement to vote
 - Applies to all councils, including Melbourne
 - Does not prevent a person who is also on the State roll or who is a ratepayer for another property from being enrolled.
- Revised countback processes that are common to manual and electronic counts
 - Step 1 – Returning officer excludes candidates who are dead or ineligible
 - Step 2 – Count conducted and winner invited to accept
 - Step 3 – If winner doesn't accept a new count conducted
- New offence for candidates, scrutineers and voters who make false declarations.
 - 20 penalty units (Currently \$2,268)