

# DECLARATION

by scrutineer

LOCAL  
ELECTIONS  
12 October  
2019

The notes and additional information overleaf should be read before completing this form.

I, \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Occupation: \_\_\_\_\_

solemnly and sincerely declare that

- (i) I will well and truly serve in the office of scrutineer:
- At any election or poll held by Waikato Regional Council.
  - At any election or poll held in \_\_\_\_\_ on 12 October 2019.
  - At \_\_\_\_\_ on 12 October 2019.
- (ii) I am not a person to whom section 68(3)<sup>1</sup> of the Local Government Act 2001 applies; and
- (iii) I will not, directly or indirectly, disclose any fact coming to my knowledge at any election or poll which I am required by the Local Electoral Act 2001 and the Local Electoral Regulations 2001 not to disclose.

\_\_\_\_\_  
Signature of scrutineer

Declared at: \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 2019

Before me: \_\_\_\_\_

Name of Justice of the Peace or other authorised person  
(Delete whichever does not apply)

\_\_\_\_\_  
Signature of Justice of the Peace or other authorised person

Footnote 1

No person can be a scrutineer if that person is:

- a candidate in the elections; or
- a member or employee of any local authority, local board or community board for whom the election or poll is being held; or
- under 18 years of age.

Mali Ahipene — Electoral Officer

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**Waikato**  
  
REGIONAL COUNCIL  
Te Kaunihera ā Rohe o Waikato

## Main offence provisions in the Local Electoral Act relating to scrutineers

### Section 123: Offences in respect of official documents

- (1) A person commits an offence if they:
  - (a) intentionally remove, obliterate, or alter any official mark or official writing on any voting document, or other official document used at an election or poll
  - (b) intentionally place any mark or writing that might be mistaken for an official mark or official writing on any voting document, or other official document used at an election or poll
  - (c) forge, counterfeit, fraudulently mark, deface, or fraudulently destroy any voting document, or other official document used at an election or poll, or the official mark on that document
  - (d) supply, without authority, a voting document to any person
  - (e) obtain or has possession of any voting document, other than one issued to that person under this Act or any regulations made under this Act for the purpose of recording his or her vote, without authority
  - (f) intentionally destroy, open, or otherwise interfere with any ballot box or box or parcel of voting documents without authority.
- (2) Every person who commits an offence against subsection (1) is liable on conviction:
  - (a) in the case of an electoral officer or other electoral official, imprisonment for a term not exceeding 2 years
  - (b) in the case of any other person, imprisonment for a term not exceeding 6 months.

### Section 129: Infringement of secrecy

- (1) Every electoral officer, deputy electoral officer, and other electoral official:
  - (a) must maintain and assist in maintaining the secrecy of the voting; and
  - (b) must not communicate to any person, except for a purpose authorised by law, any information likely to compromise the secrecy of the voting.
- (2) No person, except as provided by this Act or regulations made under this Act, may:
  - (a) interfere with or attempt to interfere with a voter when marking or recording his or her vote; or
  - (b) attempt to obtain, in the building or other place where the voter has marked or recorded his or her vote and immediately before or after that vote has been marked or recorded, any information as to any candidate for whom, or the proposal for or against which, the voter is about to vote or has voted; or
  - (c) communicate at any time to any person any information obtained in the building or other place where the voter has marked or recorded his or her vote and immediately before or after that vote has been marked or recorded, as to:
    - i) any candidate for whom, or the proposal for or against which, the voter is about to vote or has voted; or
    - ii) any number on a voting document marked or transmitted by the voter.

- (3) Every person present at the counting of votes must:
  - (a) maintain and assist in maintaining the secrecy of the voting; and
  - (b) must not, except as is provided by this Act or regulations made under this Act, communicate any information obtained at that counting as to any candidate for whom, or proposal for or against which, any vote is cast by a particular voter.
- (4) No person may, directly or indirectly, induce any voter to display or provide access to his or her voting document or any copy of that document after it has been marked or transmitted, so as to make known to any person the name of any candidate for or against whom, or proposal for or against which, the voter has voted.
- (5) A person commits an offence if they contravene or fail to comply with this section.
- (6) Every person who commits an offence against subsection (5) is liable on summary conviction to imprisonment for a term not exceeding 6 months.

### Section 130: Disclosing voting or state of election or poll

- (1) An electoral officer, deputy electoral officer, other electoral official, Justice of the Peace, or scrutineer commits an offence if they:
  - (a) make known for what candidate or candidates or for which proposal any particular voter has voted for or against, except as provided by this Act or regulations made under this Act; or
  - (b) before the close of voting, makes known the state of the election or poll or gives or pretends to give any information by which the state of the election or poll may be known.
- (2) Subsection (1)(b) does not prevent an electoral officer from disclosing the total number of voting documents so far returned at an election or poll at any time during the voting period.
- (3) A person who commits an offence against subsection (1) is liable on conviction to a fine:
  - (a) not exceeding \$5,000 for an electoral officer or deputy electoral officer
  - (b) not exceeding \$2,000 for any other person.