



ELECTION (CARETAKER) PERIOD POLICY

COUNCIL POLICY	
Document Reference:	26815
Effective Date:	16/10/2001
Last Review:	March 2016
Current Review:	December 2019
Adopted by Council:	17 December 2019
Next Review Date:	September 2023
Responsible Officer/s:	Chief Executive Officer

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1. INTRODUCTION

There is what is known as an 'election period' or 'caretaker period' that comes into force prior to each municipal election, which extends for 32 days from when candidate nominations close until 6 pm on election day.

During this time Council must avoid making decisions or acting in a way that could be seen to be influencing voters, or which will have a significant impact on an incoming Council. There are also restrictions on Council publishing or distributing electoral matter or making major policy decisions during the election (caretaker) period.

The purpose of this policy is to ensure the transparency and accountability around the behaviour and actions of Councillors, Council officers, contractors, registered Council volunteers and candidates during an election (caretaker) period.

Legislation requires all councils to prepare and adopt an election period policy that manages councillor conduct, decision making, transparency and equity, and use of Council resources during an election (caretaker) period.

2. POLICY POSITION

During an election (caretaker) period, Councillors:

- will continue to fulfil their duties (unless they are granted a leave of absence)
- will continue to engage and communicate with the community in undertaking their role as the local Councillor representative
- must comply with the Act and Councillor Code of Conduct
- must not use their position to influence Council officers, or access Council resources or information, in support of any election campaign or candidacy.

The Chief Executive Officer will, as far as practicable, plan for significant and major policy matters to be considered well in advance of the election (caretaker) period and ensure Council officers are aware of their obligations during an election (caretaker) period.

This Council policy exceeds minimum legislative requirements as it restricts the use of Council resources and decision making for any form of council election (for example a by election) by actively managing:

- decisions made by Council, Advisory Committee or a staff member acting under delegation during an election (caretaker) period
- Council's publications, promotion, media, consultations and events during an election (caretaker) period
- the use of Council resources, including venues, during an election (caretaker) period
- access to Council information by Councillors and candidates during an election (caretaker) period.

3. DEFINITIONS

Certification	means the Chief Executive Officer's statement in writing that no electoral matter is contained within any publication produced by Council during the election (caretaker) period
Council branding	means branding and logos related to the: <ul style="list-style-type: none">• Euroa Community Cinema• Euroa Visitor Information Centre (The Hub)• Nagambie Visitor Information Centre• Evolve Youth committee• Active Evolution youth activity• Access and Disability Advisory Committee• Audit Committee• Love Strathbogie.
Council resources	means Council: <ul style="list-style-type: none">• Staff, contractors and registered Council volunteers• owned property or property managed by Council on behalf of a third party• equipment• stationery• finances.
Electioneering	means any action, statement and/or publication that contains material directly related to, or likely to influence, a Councillor's re-election or a candidate's election.
Election (Caretaker) Period	means the period that starts on the last day on which nominations for the election can be received and ends at 6pm on the election day. For the purpose of the 2020 municipal election, the election (caretaker) period commences on 22 September 2020 and closes at 6pm on 24 October 2020.
Electoral advertisement, handbill, pamphlet or notice	means an advertisement, handbill, pamphlet or notice that contains electoral matter but does not include an advertisement in a newspaper announcing the holding of a Council or Committee meeting or a notice relating to a prescribed statutory consultation process which must be undertaken under legislation and cannot be delayed until after the election (eg notice of a planning permit application or the publication of the Annual Report).
Electoral matter	means any matter which is intended or likely to affect voting in an election but does not include any electoral material produced by, or on behalf of, the Returning Officer for the purposes of conducting an election.

Electoral matter is to be interpreted as being intended or likely to affect voting in an election if it contains an express or implicit reference to or comment on:

- the election, or
- a candidate in the election, or
- an issue submitted to, or otherwise before, the voters in an election.

Inappropriate decision

means any decision that:

- could affect voting in an election
- could reasonably be made after the election.

Major policy decision

means any decision

- relating to the employment, remuneration or termination of a Chief Executive Officer under section 94 of the Act, other than a decision to appoint an acting Chief Executive Officer.
- relating to entering into a contract with a total value exceeding one per cent (1%) of Council's rates and charges revenue (based on the preceding financial year), which for the purpose of the 2020 municipal election is \$198,000.
- Regarding exercising entrepreneurial powers for proposals over one per cent (1%) of Council's rates and charges revenue (from the preceding financial year), which for the purpose of the 2020 municipal election is \$198,000.

Municipal election

means any general election or by-election.

Prospective candidate

means any person who publicly expresses an intention to run as a candidate for a municipal election.

Public consultation

means a process that involves an invitation(s) to individuals, groups, organisations or the community in general, to comment on an issue, proposed action, or proposed Council policy.

Publication

means a document distributed by any means, whether in hard copy or electronically, including publication on the internet (a website or any form of social media), advertisements, promotional media releases, posters, newsletters/updates, booklets, surveys, invitations and group mailouts/emails.

Letters to individuals or groups of people required under other legislation (for example notices to abutting owners for a planning permit application) are excluded from this definition.

Returning Officer

means the person appointed in writing by the Victorian Electoral Commission to conduct the election.

Significant decision

means an irrevocable decision that significantly

Social media and websites	<p>affects the municipality, the organisation and/or its community.</p> <p>means any form of social media account (eg Facebook, Twitter, Instagram) or website owned or auspiced by Council, including but not limited to:</p> <ul style="list-style-type: none"> • Council’s Facebook, Twitter and Instagram account • Euroa Community Cinema Facebook, Instagram and Twitter account • Evolve Facebook account • What’s on in Strathbogie Shire • any auspiced social media site run and managed by committees appointed by Council under section 86 of the Act.
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4. EXTERNAL REFERENCES

Local Government Act 1989

Victorian Electoral Act 2002

5. RELATED COUNCIL DOCUMENTS

Staff Code of Conduct April 2019

Councillor Support, Resources, Reimbursement and Reporting of Expenses Policy 2019

Councillor Code of Conduct 2017

Governance and Protocols Guide 2013

Media Policy and Protocols 2013

6. POLICY OBJECTIVES

Council and Councillor activities will be actively managed and monitored in the lead up to any election, whether it be a by-election or general election to ensure:

- there is a level playing field for all election candidates
- Council information can be equally accessed by all candidates
- Council resources are not used in any way to support an election campaign
- conflicts of interest are avoided
- there is a distinction and clear separation of activities between an incumbent councillor undertaking their duties under the Act and the role of that same person as a candidate or prospective candidate in a forthcoming election
- Council complies with all aspects of the Act in relation to activities and decision making in the election (caretaker) period.

The policy applies to all Councillors, Council staff, Council registered volunteers and contractors and must be complied with if you:

- are involved in making a major policy decision

- are involved in making a significant decision that will bind the incoming Council
- are about to publish written material which has reference in it to a candidate (which includes sitting Councillors), or the election or an issue before the voters in connection with the election
- are involved in the creation of any Council publication
- are involved in any public consultation process
- are a Councillor who is planning to attend a function or event
- supply resource support to Councillors
- are a Councillor requesting access to Council information
- are a Councillor requesting media advice.

Given the Local Government Bill 2019 is currently before Parliament, the requirements of this new act have also been considered in the drafting of this policy (refer to Attachment 1).

7. REVIEW OF THIS POLICY

This policy will be reviewed and adopted twelve months prior to the next municipal election.

8. POLICY

8.1 Candidacy

A Councillor must not use Council resources for candidacy, or any purpose that may be perceived as being used for candidacy (individual or political party). This applies to a Councillor standing in a local election and for any other elected positions, for example, positions on boards given such use would constitute misuse of position by the Councillor.

8.2 Council decisions

Council will not consider or make any decisions during an election (caretaker) period that would, or could be perceived to, affect voting in an election, unfairly commit the incoming Council to a major course of action or could reasonably be made after the election.

Council officers or special committees with delegated decision making authority are also not permitted to make any decisions that may be perceived to affect the outcome of an election or unfairly commit the incoming Council.

The only items to be considered at an Ordinary Council or Special Committee Meeting held during the election (caretaker) period will be the Annual Report and procedural items to complete the Council's term of office, for example, assemblies of Council, and delegate's reports.

Public Question Time will be suspended during the election (caretaker) period.

A Notice of Motion submitted by a Councillor during an election (caretaker) period that relates to an electoral matter will not be permitted.

Should Council consider there are extraordinary circumstances where the Strathbogie community would be significantly disadvantaged by Council not making a particular major policy decision, Council will, by resolution, seek an exemption from the Minister for Local Government in accordance with section 93A(2) of the Act.

8.3 Caretaker statement

During the election (caretaker) period, the Chief Executive Officer will ensure a caretaker statement is included in any report submitted to a Council or a Special Committee Meeting for consideration.

The caretaker statement will specify one of the following:

- *“The recommended decision is not a major policy decision or inappropriate decision, as defined in section 93A of the Local Government Act 1989”*
- *“The recommended decision is to seek an exemption from the Minister because the matter requires a major policy decision within the meaning of section 93A of the Local Government Act 1989”*
- *“The recommended decision is a major policy decision, as defined in section 93A of the Local Government Act 1989, but an extraordinary circumstances exemption was granted by the Minister for Local Government on [insert date]”.*

During the election (caretaker) period, Council or a Special Committee will not make a decision on any matter or report that does not include one of the above caretaker statements.

8.4 Access to Council information

Request for Council information

Given that Councillors continue to perform their elected role during the election (caretaker) period, they will continue to receive all necessary information to fulfil their role under the Act.

Councillors who are candidates in the election will be treated the same as other candidates in relation to access to Council information. Councillors may continue to access Council information and public documents during the election (caretaker) period, but only as it is necessary for them to perform their current role and functions.

Information to be provided to Councillors will include information that is publicly and freely available such as Council Plans, Annual Reports, strategies, policies and the like.

Briefing papers in relation to the Annual Report and procedural matters to be decided at the Council Meeting or Special Committee Meeting during the election (caretaker) period will also be provided to Councillors.

All requests received by Council officers for information about Council's existing projects, programs or services will be responded to in a 'business as usual' manner. This means up to date responses will be provided about progress on Council projects or services to Councillors, candidates and members of the community.

A 'business as usual' approach does not include Council staff undertaking extensive research or analysis involving significant Council resources, or providing a level of information which would not normally be available.

All election-related enquiries from candidates, or prospective candidates (whether Councillors or not), must be directed to the Returning Officer. Where the matter is outside the responsibilities of the Returning Officer the matter will be referred to the Chief Executive Officer or delegate.

Applications for information under Freedom of Information legislation will be dealt with in the usual manner.

Keeping of a Request for Information Register

A Request for Information register will be maintained by the Chief Executive Officer and available for inspection by the public upon request.

The Register will be a public document that records all requests relating to electoral matters, routine and non-routine requests for information by Councillors and election candidates and a summary of the response provided.

Council officers are required to discuss requests for information by Councillors and candidates with their Manager to determine an appropriate response prior to providing the information (or declining to provide the information).

Managers are responsible for ensuring all requests are logged on the Register.

Requests for information that require significant resources to be devoted to a response, or which might be perceived to support an election campaign, will be referred to the Chief Executive Officer or delegate.

The Register will be published on Council's website for the duration of the election (caretaker) period, including a summary of response and/or link to any requested public document.

8.5 Council media, social media pages and publications

Certification of publications by the Chief Executive Officer

Section 55D of the Act outlines restrictions on Council publications, including electronic publications, during an election (caretaker) period.

The Chief Executive Officer must certify a Council publication does not include electoral matter before it can be issued. While the Chief Executive Officer may authorise an officer(s) to vet material, only the Chief Executive Officer can formally certify material for publication (that is, this function may not be delegated).

Council will not issue, publish or distribute any publication during an election (caretaker) period, other than:

- media and social media responses/statements on an emergency or urgent service-related issue (such as a pool closure)
- those that are required under an Act or regulation
- the Annual Report as required by the Act.

Any publications to be issued during the election (caretaker) period must be forwarded to the relevant Manager for approval and then sent to the Group Manager Corporate & Community for vetting for electoral matter. Once vetted, the Group Manager will submit the publication to the Chief Executive Officer for certification.

Attachment 2 contains the certification memorandum required for any publication created during the election (caretaker) period.

The Group Manager Corporate & Community will ensure Council publications available in Council facilities are inspected before the election (caretaker) period to identify and temporarily remove anything that might reasonably influence the election.

Council spokesperson

The Chief Executive Officer, or delegate, will be the primary spokesperson for Council communications during an election (caretaker) period.

Media and social media responses and statements will only be issued during an election (caretaker) period in the name of the Chief Executive Officer and will be subject to certification by the Chief Executive Officer.

Council officers must not make any public statement that could be construed as influencing the election. This will be considered as an offense under the Employee Code of Conduct.

This section does not include statements of clarification on an issue certified by the Chief Executive Officer or delegate.

Councillors must not use their position as an elected representative or their access to officers and other Council resources to gain media attention in support of an election campaign.

Annual Report

The Act requires Council's Annual Report to be prepared and submitted to the Minister for Local Government by the end of September each year. As it is a statutory requirement, it does not require certification by the Chief Executive Officer.

The Annual Report must not include material that is considered electioneering or electoral matter, or that publicises the attributes or achievements of individual Councillors.

Information referring to specific Councillors will be limited to names, titles, contact details, membership of special committees and other bodies to which they have been appointed by Council.

A Mayor's Message will be included and will be restricted to general Council business and not specific achievements of elected representatives.

The Chief Executive Officer will determine the appropriate content for an Annual Report produced in an election (caretaker) period.

Council will print and distribute the same number of copies during an election (caretaker) period as for the preceding year.

Council websites and social media sites

During the election (caretaker) period, information about Councillors published on Council websites will only include names, contact details and titles and any information contained in the Annual Report.

The Agenda and Minutes for Council and Special Committee Meetings will continue to be published on Council's website.

No new material will be published on Council's websites or social media sites during an election (caretaker) period unless it relates to:

- emergency information (eg bushfires, heatwaves, blackouts, food recalls or floods)

- unforeseen interruption to Council services (eg pool closures)
- any prescribed information that the Returning Officer requires to be published to inform the community about the election process.

A statement will be published on all social media sites advising that Council is in caretaker period and no new information, other than that outlined above, will be published until after the election. It will also state that any information on the site was published before the election (caretaker) period, and direct people to contact customer service if they have any issues/requests.

The Group Manager Corporate & Community will ensure Council's social media sites are reviewed before the election (caretaker) period to identify and temporarily remove anything that might reasonably influence the election.

Internal publications/Intranet

The publication of internal newsletters and intranet information including instruction for the election (caretaker) period, policy and protocols, is permitted and will continue as normal during an election (caretaker) period. The promotion of Councillors, candidates, or political parties in internal publications is not permitted.

Councillor-issued communications

Councillors, like other candidates, are permitted to issue their own media releases, provided they do not use Council resources, including email, fax, logo or any branding, letterhead or any Council owned device. Councillors and candidates must make it clear that the views expressed are personal views only, and not the views of the Council.

Councillors are not permitted to comment in an official capacity on behalf of Council about an issue raised by the media during the election (caretaker) period.

Should media outlets contact Councillors, or candidates, directly for comment about an issue during the election period, Councillors and candidates are able to comment, provided they make it known to media outlets that the views expressed are personal views only, and not the views of Council.

Council officers cannot provide media advice or assistance to Councillors during an election (caretaker) period.

8.6 Council consultation and events

Public meetings and events

Council will not undertake any community consultations or events during the election (caretaker) period.

This includes promotion of upcoming consultations or events held after the election (caretaker) period but excludes prescribed consultation processes under legislation such as the *Planning and Environment Act 1987*.

Councillors may continue to attend community events, but no formal role will be accepted, or support provided by Council officers (for example, writing a speech).

Existing Council programs and services for the community will continue as business as usual, but new promotional activity is not permitted during an election (caretaker) period.

Speeches for external events

Council resources must not be used to prepare speeches, or support roles, for Councillors for community and external events during the election (caretaker) period.

Community consultation

Public consultation will be avoided during the election (caretaker) period, except for that required under the *Planning and Environment Act 1987* and other legislation where the matter cannot possibly be delayed until after the election (caretaker) period closes.

Council facilities/halls for hire

Council facilities will be able to be hired by local candidates (including Councillors) at the normal corporate hire rate determined for the facility in the lead up to an election, but not during an election (caretaker) period.

To avoid a perception that Council facilities are being used to promote any candidacy, no promotional material related to the event/hired use, apart from directional signage, can be displayed in the common public areas of the facility being hired. This will be advised at time of booking.

Candidates wishing to conduct electioneering activities in public space for example, a stall at a shopping strip or park, must apply for a permit in accordance with Council's local law.

No other promotional material, including signage, posters, flyers or banners, for any election candidacy is permitted on Council land or in its facilities at any time.

The Strathbogie Planning Scheme sets out the requirements relating to display of candidacy information on private land across the shire.

8.7 Use of Council resources

Councillors will have access to the resources necessary to fulfil their elected roles in accordance with the Councillor Code of Conduct.

Council resources including offices, vehicles, hospitality, equipment, email, mobile phones and stationary will remain available for Councillors to fulfil their elected role during an election (caretaker) period.

These resources must not be used for any election purposes or used in a manner that could be perceived as supporting or being connected with a candidate's election campaign.

Council officers will not undertake any tasks connected directly or indirectly with a candidate's election campaign.

8.8 Use of the Title 'Councillor'

Councillors may use the title 'Councillor' in their election material as they continue to hold office during the election (caretaker) period.

While a Councillor may refer to themselves as Councillor in all communication issued by the Councillor (verbal or written), it must be made clear that it is the communication of a candidate and not on behalf of Council.

8.9 Photographs and Images

Photographs and images paid for by Council or taken by Council officers must not be used in electoral material for any candidate. This includes images of Councillors, Council events, and Council owned or maintained infrastructure.

Photographs taken by Councillors, their family or friends, or professional photos they have directly commissioned and paid for, may be used in electoral material.

8.10 Council Branding and Stationary

No Council branding, logo or letterhead can be used for, or linked in any way to, a candidate's election campaign.

Use of Council logos, branding and stationery whether in hardcopy or electronic is only permitted for normal Council business.

8.11 Councillor Expense Reimbursement

Reimbursement of the out-of-pocket expenses for Councillors during the election (caretaker) period will only apply to costs that have been incurred in the performance of normal Council duties as per the Councillor Support, Resources, Reimbursement and Reporting of Expenses Policy 2019.

Expenses that could be perceived as supporting or being connected with a candidate's election campaign will not be reimbursed.

In the case of claims that cover a combination of Council and electoral business, the Chief Executive Officer may approve a partial reimbursement to cover Council related activities.

8.12 Councillor Correspondence

General correspondence addressed to Councillors will be answered in a usual manner.

Councillors will only sign the necessary minimum correspondence during the election (caretaker) period. Correspondence relating to significant, sensitive or controversial matters will be referred to the Chief Executive Officer.

9. CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 AND THE EQUAL OPPORTUNITY ACT 2010

The Council acknowledges the legal responsibility to comply with the Charter of *Human Rights and Responsibilities Act 2006* and the *Equal Opportunity Act 2010*. The *Charter of Human Rights and Responsibilities Act 2006* is designed to protect the fundamental rights and freedoms of citizens. The Charter gives legal protection to 20 fundamental human rights under four key values that include freedom, respect, equality and dignity.

10. ATTACHMENT 1 LEGISLATIVE PROVISIONS

Election Period Policy Provisions of the Local Government Act 1989

55D Prohibition on Council

- (1) A Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer.
 - (1A) For the purposes of subsection (1), the publication of a document of a kind specified in that subsection does not include—
 - (a) publication of any document published before the commencement of the election period; and
 - (b) publication of any document required to be published in accordance with, or under, any Act or regulation.

Note See definitions of publish in section 3(1) and document in section 38 of the Interpretation of Legislation Act 1984.
- (2) The Chief Executive Officer must not intentionally or recklessly certify an electoral advertisement, handbill, pamphlet or notice during the election period unless it only contains information about the election process.

Penalty: 60 penalty units.
- (3) Despite section 98(2), the Chief Executive Officer must not delegate the power to certify any advertisement, handbill, pamphlet or notice under this section to a member of Council staff.
- (4) A Councillor or member of Council staff must not intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed an electoral advertisement, handbill, pamphlet or notice during the election period on behalf of, or in the name of, the Council or on behalf of, or in the name of, a Councillor using Council resources if the electoral advertisement, handbill, pamphlet or notice has not been certified by the Chief Executive Officer under this section.

Penalty: 60 penalty units.

93A Conduct of Council during election period

- (1) Subject to this section, a Council, a special Committee or a person acting under a delegation given by the Council must not make a major policy decision during the election period for a general election.
- (2) If a Council considers that there are extraordinary circumstances which require the making of a major policy decision during the election period, the Council may apply in writing to the Minister for an exemption from the application of this section to the major policy decision specified in the application.
- (3) If the Minister is satisfied that there are extraordinary circumstances, the Minister may grant an exemption from the application of this section to the major policy decision specified in the application subject to any conditions or limitations that the Minister considers appropriate.
- (4) A major policy decision made in contravention of this section is invalid.

- (5) Any person who suffers any loss or damage as a result of acting in good faith on a major policy decision made in contravention of this section is 93B Council to adopt an election period policy entitled to compensation from the Council for that loss or damage.
- (6) In this section, a major policy decision means any decision—
 - (a) relating to the employment or remuneration of a Chief Executive Officer under section 94, other than a decision to appoint an acting Chief Executive Officer;
 - (b) to terminate the appointment of a Chief Executive Officer under section 94;
 - (c) to enter into a contract the total value of which exceeds whichever is the greater of—
 - (i) \$100 000 or such higher amount as may be fixed by Order in Council under section 186(1); or
 - (ii) 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year;
 - (d) to exercise any power under section 193 if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of \$100 000 or 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year.

93B Council to adopt an election period policy

- (1) A Council must prepare, adopt and maintain an election period policy in relation to procedures to be applied by Council during the election period for a general election.
- (2) A Council must prepare and adopt an election period policy as required by subsection (1)—
 - (a) by 31 March 2016; and
 - (b) following the general election on 22 October 2016, continue to maintain the election period policy by reviewing and, if required, amending the policy not later than 12 months before the commencement of each subsequent general election period.
- (3) An election period policy must include the following—
 - (a) procedures intended to prevent the Council from making inappropriate decisions or using resources inappropriately during the election period before a general election;
 - (b) limits on public consultation and the scheduling of Council events;
 - (c) procedures to ensure that access to information held by Council is made equally available and accessible to candidates during the election.
- (4) A copy of the election period policy must—
 - (a) be given to each Councillor as soon as practicable after it is adopted; and
 - (b) be available for inspection by the public at the Council office and any district offices; and
 - (c) be published on the Council's Internet website maintained under section 82A.
- (5) In this section—

inappropriate decisions made by a Council during an election period includes any of the following—

 - (a) decisions that would affect voting in an election;
 - (b) decisions that could reasonably be made after the election.

Local Government Bill 2019

69 Governance Rules to include election period policy

- (1) A Council must include an election period policy 30 in its Governance Rules.
- (2) An election period policy must prohibit any Council decision during the election period for a general election that—
 - (a) relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or
 - (b) commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
 - (c) the Council considers could be reasonably deferred until the next Council is in place; or
 - (d) the Council considers should not be made during an election period.
- (3) An election period policy must prohibit any Council decision during the election period for a general election or a by-election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.
- (4) A Council decision made in contravention of subsection (2)(a) or (b) is invalid.
- (5) Any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is invalid by virtue of subsection (4) is entitled to compensation from the Council for that loss or damage.

304 Prohibition on Councillor or member of Council staff

- (1) A Councillor or member of Council staff must not use Council resources in a way that—
 - (a) is intended to; or
 - (b) is likely to—affect the result of an election under this Act.

Penalty: 60 penalty units.

- (2) A Councillor or member of Council staff must not use Council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed any electoral material during the election period on behalf of, or purporting to be on behalf of, the Council unless the electoral material only contains information about the election process or is otherwise required in accordance with, or under, any Act or regulation.

Penalty: 60 penalty units.

11. ATTACHMENT 2 CERTIFICATION MEMO

MEMORANDUM

To: Group Manager Corporate & Community

CC: Chief Executive Officer

From: [INSERT NAME], [INSERT TITLE]

Subject: CERTIFICATION OF PUBLICATION DURING ELECTION PERIOD

Date:

Section 55D of *the Act* specifies a Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill pamphlet or notice (including group emails) during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer.

In accordance with the Election (Caretaker) Period Policy 2019 Council further commits that where a publication is deemed necessary for a Council service or function, it will be **certified by the Chief Executive Officer.**

Please insert details of the publication here, such as the intended audience, reasons that it must be issued during the election period and any legislation that requires this publication to be issued during the election period.

Council Officer

Signature

Date

Group Manager Corporate & Community Use Only

The attached material has been reviewed and does not contain any electoral related matter to the best of my knowledge. In accordance with the requirements of s55D(1) of the *Local Government Act 1989*, please certify, that you as Strathbogie Shire Council's Chief Executive Officer, authorise for this material to be printed, published or distributed.

Group Manager's Name	Signature	Date
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Certification by Chief Executive Officer

I, Julie Salomon, Chief Executive Officer, certify the attached material is suitable for printing, publishing or distributing on behalf of the Strathbogie Shire Council.

Signature	Date
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