

Extract from Local Government Act:

Division 3 – Election Officials Appointment and Authority

Appointment of election officials

58 (1) For the purposes of conducting an election, the local government must appoint a chief election officer and a deputy chief election officer.

(2) The chief election officer must appoint election officials required for the administration and conduct of the election.

(3) Without limiting the generality of subsection (2), the chief election officer must appoint the following:

(a) presiding election officials for election proceedings where the chief election officer is not acting as presiding election official;

(b) election officials to act as alternate presiding election officials for election proceedings;

(c) election officials required to assist the presiding election official at election proceedings.

(4) The chief election officer may delegate the authority under subsection (3) (c) to the presiding election official for the election proceedings.

(5) The chief election officer may appoint peace officers as election officials to assist presiding election officials in fulfilling their duty to maintain peace and order at the election proceedings for which they are responsible.

(6) If an election official is absent or unable to act, a person appointed as deputy chief election officer or appointed under this section as alternate for the official must perform the duties and has the powers of the official.

(7) A candidate, candidate representative or financial agent may not be appointed as an election official.

(8) Before assuming duties, an election official must make a solemn declaration that the person

(a) will faithfully and impartially exercise the powers and perform the duties of the position to which the election official is appointed,

(b) has not received and will not accept any inducement

(i) to exercise the powers or perform the duties of the position otherwise than impartially and in accordance with this Act, or

(ii) to otherwise subvert the election,

(c) will preserve the secrecy of the ballot in accordance with section 123 [*voting to be by secret ballot*], and

(d) is not and will not become a candidate, candidate representative or financial agent while holding the position of an election official.

Chief election officer duties and powers

59 (1) In addition to all other duties established by this Part and the *Local Elections Campaign Financing Act*, the chief election officer must do the following:

(a) ensure that a sufficient number of ballots are prepared for an election by voting;

(b) ensure that each voting place

(i) is supplied with sufficient numbers of ballots, ballot boxes and voting books, and

(ii) has an area that may be used as a voting compartment;

(c) take all reasonable precautions to ensure that a person does not vote more than once in an election;

(d) do all other things necessary for the conduct of an election in accordance with this Part, the *Local Elections Campaign Financing Act* and any bylaws and regulations under this Part or that Act.

(2) In addition to all other powers given by this Part, the chief election officer may do one or more of the following:

- (a) exercise any power conferred on a presiding election official in relation to the election proceedings for which the presiding election official is responsible;
- (b) as an exception to the restrictions on where an elector may vote when municipal voting divisions are established, authorize an election official to vote at the voting place at which the official is working;
- (c) take solemn declarations where these are required under this Part or the *Local Elections Campaign Financing Act*;
- (d) delegate to other election officials the chief election officer's duties and powers under this Part or the *Local Elections Campaign Financing Act*, subject to any restrictions or conditions specified by the chief election officer;
- (e) apply to the minister for an order under section 167 [*ministerial orders in special circumstances*] of this Act or section 99 [*ministerial orders in special circumstances*] of the *Local Elections Campaign Financing Act*.