

SOUTH AUSTRALIA

**CITY OF ADELAIDE (ELECTIONS AND POLLS) REGULATIONS 1998**

## **SUMMARY OF PROVISIONS**

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### **SCHEDULE**

*Prescribed forms*

**REGULATIONS UNDER THE CITY OF ADELAIDE ACT 1998**

*City of Adelaide (Elections and Polls) Regulations 1998*

being

No. 185 of 1998: *Gaz.* 8 October 1998, p. 1076<sup>1</sup>

<sup>1</sup> Came into operation 8 October 1998: reg. 2.

N.B. The amendments effected to these regulations by Regulation No. 256 of 1999 have not been brought into operation.

### **Citation**

1. These regulations may be cited as the *City of Adelaide (Elections and Polls) Regulations 1998*.

### **Commencement**

2. These regulations will come into operation on the day on which they are made.

### **Interpretation**

3. (1) In these regulations—

"Act" means the *City of Adelaide Act 1998*.

(2) In these regulations, a reference to a form of a particular number is a reference to the form of that number set out in the schedule.

### **Prescribed declaration (Schedule 1—clause 5(1)(a)(ii))**

4. For the purposes of clause 5(1)(a)(ii) of schedule 1 of the Act, the following are prescribed:

(a) the declaration set out as Form 1;

(b) the declaration in the form set out in the Third Schedule of the *Local Government (Forms) Regulations 1984*.

### **Nominations**

5. (1) For the purposes of clause 9(1) of schedule 1 of the Act—

(a) a candidate for election pursuant to clause 8(1)(a) of that schedule may nominate by delivering or causing to be delivered to the returning officer before the close of nominations a duly completed form in the form set out as Form 2;

(b) a candidate for election pursuant to clause 8(1)(b) of that schedule may be nominated by delivering or causing to be delivered to the returning officer before the close of nominations a duly completed form in the form set out as Form 3;

(c) a candidate for election pursuant to clause 8(1)(c) of that schedule may be nominated by delivering or causing to be delivered to the returning officer before the close of nominations a duly completed form in the form set out as Form 4;

(d) a candidate for election pursuant to clause 8(1)(d) of that schedule may nominate, or may be nominated (as the case requires) by delivering or causing to be delivered to the returning officer before the close of nominations—

(i) a duly completed form in the form set out as Form 2, 3 or 4 (depending on whether the candidate is a person whose name has been omitted in error from the voters roll, is a nominee of a body corporate which has had its name omitted in error from the voters roll, or is a nominee of a group of persons who have had their names omitted in error from the voters roll); and

(ii) a duly completed form in the form set out as Form 5.

3.

(2) For the purposes of clause 9(2)(a) of schedule 1 of the Act, the declarations contained in Forms 2, 3 and 4 (as the case requires) are prescribed.

(3) For the purposes of clause 9(2)(b) of schedule 1 of the Act, the following information and material is prescribed:

- (a) a profile of the candidate that complies with the following requirements:
  - (i) the profile must be in the form of a biography and must not contain any statement of public policy or promise of public action; and
  - (ii) the profile must be in typed form or in legible handwriting; and
  - (iii) the profile must not exceed 150 words; and
  - (iv) the profile must be signed and dated by the candidate (but this signature and date will not form part of the profile for the purposes of regulation 7(3)(b));
- (b) a photograph of the candidate that complies with the following requirements:
  - (i) the photograph must only (or predominantly) show the head and shoulders of the candidate; and
  - (ii) the photograph must have been taken within the preceding period of 12 months; and
  - (iii) the photograph must bear on its back an endorsement by the candidate to the effect that the photograph is a photograph of the candidate that has been taken within the preceding 12 months.

(4) For the purposes of clause 9(3) of schedule 1 of the Act, the notice set out as Form 6 is prescribed.

**Notice of use of postal voting**

**6.** (1) For the purposes of clause 11 of schedule 1 of the Act, information to the following effect is prescribed:

- (a) that the specified election or poll will be conducted entirely by means of postal voting and that no polling booth will be open for voting on polling day;
- (b) that voting papers will be issued by post to every natural person, body corporate and group who or which has his, her or its name on the voters roll to be used for the purposes of the election or poll or, at the discretion of the returning officer, by personal delivery to potential voters at certain locations;
- (c) that the voting papers being issued by post should be delivered to persons, bodies corporate and groups on the voters roll not later than a date specified by the returning officer<sup>1</sup>;

<sup>1</sup>. This date must be consistent with clause 12(1) of schedule 1 of the Act.

4.

- (d) that a person who does not receive voting papers but who believes that he or she is entitled to exercise a vote at the election or poll may take specified steps to apply for voting papers.

(2) A notice under clause 11 of schedule 1 of the Act may include other information which may, in the opinion of the returning officer, assist prospective voters to understand the postal voting system and processes under the Act and to participate in the election or poll.

### **Postal voting papers**

7. (1) For the purposes of clause 12(1) and (5) of schedule 1 of the Act, the declarations set out as Forms 7 and 8 are prescribed (to be used as appropriate).

(2) Pursuant to subclause (3) of clause 12 of schedule 1 of the Act, envelopes used under subclause (1) of that clause for ballot papers sent by post must be printed with a bar code (determined by the returning officer), and have an extension to a flap on the back of the envelope that bears the name and address of the natural person, body corporate or group to whom the voting papers are issued.

(3) For the purposes of subclause (6) of clause 12 of schedule 1 of the Act, postal voting papers issued under that clause must be accompanied by—

- (a) an information sheet prepared by the returning officer which outlines the steps which a voter must follow in order to comply with the requirements of clause 14 of schedule 1 of the Act; and
- (b) in the case of an election, an information sheet prepared by the returning officer which sets out the profiles and photographs submitted by candidates under these regulations.

### **Campaign donations and expenditure**

8. For the purposes of clause 23 of schedule 1 of the Act—

- (a) a campaign donations return must be in the form set out as Form 9; and
- (b) a campaign expenditure return must be in the form set out as Form 10.

**SCHEDULE**  
*Prescribed forms*

**FORM 1**  
**CITY OF ADELAIDE ACT 1998**

*Claim by Person for Inclusion on the Voters Roll—Pursuant to  
Clause 5(1)(a)(ii) of Schedule 1 of the City of Adelaide Act 1998*

<sup>1</sup> Please read instructions below before filling in this form.

I, <sup>2</sup> .....  
(Surname) (Given Name/s)

of <sup>3</sup> .....  
(Place of Residence)

Date of Birth ..... day..... month.....year

hereby claim enrolment on the voters roll for the City of Adelaide and I declare that the whole of the statements made in this claim are true to the best of my knowledge and belief.

<sup>4</sup> ..... Date .... / .... / .....  
(Signature)

<sup>5</sup> ..... <sup>6</sup> .....  
(Witness) (Place of Residence of Witness)

Date .... / .... /19. ....

**INSTRUCTIONS**

1. This form is to be completed in block letters except for signatures.
2. Insert full name of claimant.
3. Insert full residential address of the claimant.
4. Insert usual signature of claimant.
5. Insert usual signature of witness. A witness may be any person of or above the age of 18.
6. Insert residential address of witness.

6.

**FORM 2**

[Form appears in *Gaz.* 8 October 1998, p. 1076]



**NOTES**

1. The following information and material must be provided in association with this nomination:

(a) a profile of the candidate that complies with the following requirements:

- (i) the profile must be in the form of a biography and must not contain any statement of public policy or promise of public action;
- (ii) the profile must be in typed form or in legible handwriting;
- (iii) the profile must not exceed 150 words;
- (iv) the profile must be signed and dated by the candidate; and

(b) a photograph of the candidate that complies with the following requirements:

- (i) the photograph must only (or predominantly) show the head and shoulders of the candidate;
- (ii) the photograph must have been taken within the last 12 months;
- (iii) the photograph must have on its back an endorsement signed by the candidate as follows:

"This is a photograph of [*Insert name*] taken within the last 12 months"

.....

(*Signature of candidate*)

2. Clause 8 of schedule 1 of the *City of Adelaide Act 1998* provides as follows:

**Entitlement to stand for election**

8. (1) Subject to this clause and to section 95(2), (3) and (4) of the *Local Government Act 1934*, a person is eligible to be a candidate for election as a member of the Adelaide City Council if the person is an Australian citizen and—

- (a) the person is an elector for the area; or
- (b) the person is the nominee of a body corporate which has its name on the voters roll for the area; or
- (c) the person is the nominee of a group which has its name on the voters roll for the area; or
- (d) the person's name has been omitted in error from the voters roll for the area, or the person is the nominee of a body corporate or group which has its name omitted in error from the voters roll for the area (and would be eligible for nomination under paragraph (b) or (c) (as the case may be) were the name on the roll).

(2) Subclause (1) operates subject to the following qualifications:

- (a) a nominee of a body corporate must be an officer of the body corporate; and
- (b) a nominee of a group must be a member of the group, or an officer of a body corporate that is a member of the group; and
- (c) a body corporate or group cannot nominate more than one person for a particular election.

3. Section 95(2), (3) and (4) of the *Local Government Act 1934* provides as follows:

(2) A person is not eligible to be a candidate for election as a member of a council if the person—

- (a) is an undischarged bankrupt; or
- (b) has been sentenced to imprisonment and is, or could on the happening of some contingency become, liable to serve the sentence or the remainder of the sentence; or

8.

(c) is disqualified from election by virtue of section 57; or

(d) is an officer or employee of the council.

(3) A person is not eligible to be a candidate for election as a member of a council if the person—

(a) in the case of a supplementary election—is a member of some other council; or

(b) in the case of any election—is a candidate for election as a member of some other council.

(4) A person is not eligible to be a candidate for election to the office of mayor or alderman unless he or she has held office as a member of a council for not less than 12 months.

4. A person claiming an entitlement to be a candidate on the basis that a relevant name has been omitted in error from the voters roll must also complete Form 5 under the *City of Adelaide (Elections and Polls) Regulations 1998*.

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**FURTHER INFORMATION FOR THE USE OF THE RETURNING OFFICER:**

Candidate's contact telephone numbers: (W) ..... (H) ..... (Mobile) .....

Do you consent to these numbers being released to the media? YES/NO

9.

**FORM 3**

[Form appears in *Gaz.* 8.10.98, p. 1076]

**NOTES**

1. The following information and material must be provided in association with this nomination:

(a) a profile of the candidate that complies with the following requirements:

- (i) the profile must be in the form of a biography and must not contain any statement of public policy or promise of public action;
- (ii) the profile must be in typed form or in legible handwriting;
- (iii) the profile must not exceed 150 words;
- (iv) the profile must be signed and dated by the candidate; and

(b) a photograph of the candidate that complies with the following requirements:

- (i) the photograph must only (or predominantly) show the head and shoulders of the candidate;
- (ii) the photograph must have been taken within the last 12 months;
- (iii) the photograph must have on its back an endorsement signed by the candidate as follows:

"This is a photograph of [*Insert name*] taken within the last 12 months"

.....

(*Signature of candidate*)

2. Clause 8 of schedule 1 of the *City of Adelaide Act 1998* provides as follows:

**Entitlement to stand for election**

8. (1) Subject to this clause and to section 95(2), (3) and (4) of the *Local Government Act 1934*, a person is eligible to be a candidate for election as a member of the Adelaide City Council if the person is an Australian citizen and—

- (a) the person is an elector for the area; or
- (b) the person is the nominee of a body corporate which has its name on the voters roll for the area; or
- (c) the person is the nominee of a group which has its name on the voters roll for the area; or
- (d) the person's name has been omitted in error from the voters roll for the area, or the person is the nominee of a body corporate or group which has its name omitted in error from the voters roll for the area (and would be eligible for nomination under paragraph (b) or (c) (as the case may be) were the name on the roll).

(2) Subclause (1) operates subject to the following qualifications:

- (a) a nominee of a body corporate must be an officer of the body corporate; and
- (b) a nominee of a group must be a member of the group, or an officer of a body corporate that is a member of the group; and
- (c) a body corporate or group cannot nominate more than one person for a particular election.

3. Section 95(2), (3) and (4) of the *Local Government Act 1934* provides as follows:

(2) A person is not eligible to be a candidate for election as a member of a council if the person—

- (a) is an undischarged bankrupt; or
- (b) has been sentenced to imprisonment and is, or could on the happening of some contingency become, liable to serve the sentence or the remainder of the sentence; or

11.

(c) is disqualified from election by virtue of section 57; or

(d) is an officer or employee of the council.

(3) A person is not eligible to be a candidate for election as a member of a council if the person—

(a) in the case of a supplementary election—is a member of some other council; or

(b) in the case of any election—is a candidate for election as a member of some other council.

(4) A person is not eligible to be a candidate for election to the office of mayor or alderman unless he or she has held office as a member of a council for not less than 12 months.

4. A person claiming an entitlement to be a candidate on the basis that a relevant name has been omitted in error from the voters roll must also complete Form 5 under the *City of Adelaide (Elections and Polls) Regulations 1998*.

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**FURTHER INFORMATION FOR THE USE OF THE RETURNING OFFICER:**

Candidate's contact telephone numbers: (W) ..... (H)..... (Mobile).....

Do you consent to these numbers being released to the media? YES/NO

12.

**FORM 4**

[Form appears in *Gaz.* 8.10.98, p. 1076]

**NOTES**

1. The following information and material must be provided in association with this nomination:

(a) a profile of the candidate that complies with the following requirements:

- (i) the profile must be in the form of a biography and must not contain any statement of public policy or promise of public action;
- (ii) the profile must be in typed form or in legible handwriting;
- (iii) the profile must not exceed 150 words;
- (iv) the profile must be signed and dated by the candidate; and

(b) a photograph of the candidate that complies with the following requirements:

- (i) the photograph must only (or predominantly) show the head and shoulders of the candidate;
- (ii) the photograph must have been taken within the last 12 months;
- (iii) the photograph must have on its back an endorsement signed by the candidate as follows:

"This is a photograph of [*Insert name*] taken within the last 12 months"

.....

(*Signature of candidate*)

2. Clause 8 of schedule 1 of the *City of Adelaide Act 1998* provides as follows:

**Entitlement to stand for election**

8. (1) Subject to this clause and to section 95(2), (3) and (4) of the *Local Government Act 1934*, a person is eligible to be a candidate for election as a member of the Adelaide City Council if the person is an Australian citizen and—

- (a) the person is an elector for the area; or
- (b) the person is the nominee of a body corporate which has its name on the voters roll for the area; or
- (c) the person is the nominee of a group which has its name on the voters roll for the area; or
- (d) the person's name has been omitted in error from the voters roll for the area, or the person is the nominee of a body corporate or group which has its name omitted in error from the voters roll for the area (and would be eligible for nomination under paragraph (b) or (c) (as the case may be) were the name on the roll).

(2) Subclause (1) operates subject to the following qualifications:

- (a) a nominee of a body corporate must be an officer of the body corporate; and
- (b) a nominee of a group must be a member of the group, or an officer of a body corporate that is a member of the group; and
- (c) a body corporate or group cannot nominate more than one person for a particular election.

3. Section 95(2), (3) and (4) of the *Local Government Act 1934* provides as follows:

(2) A person is not eligible to be a candidate for election as a member of a council if the person—

- (a) is an undischarged bankrupt; or
- (b) has been sentenced to imprisonment and is, or could on the happening of some contingency become, liable to serve the sentence or the remainder of the sentence; or

14.

(c) is disqualified from election by virtue of section 57; or

(d) is an officer or employee of the council.

(3) A person is not eligible to be a candidate for election as a member of a council if the person—

(a) in the case of a supplementary election—is a member of some other council; or

(b) in the case of any election—is a candidate for election as a member of some other council.

(4) A person is not eligible to be a candidate for election to the office of mayor or alderman unless he or she has held office as a member of a council for not less than 12 months.

4. A person claiming an entitlement to be a candidate on the basis that a relevant name has been omitted in error from the voters roll must also complete Form 5 under the *City of Adelaide (Elections and Polls) Regulations 1998*.

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**FURTHER INFORMATION FOR THE USE OF THE RETURNING OFFICER:**

Candidate's contact telephone numbers: (W) ..... (H)..... (Mobile).....

Do you consent to these numbers being released to the media? YES/NO



**FORM 5  
CITY OF ADELAIDE ACT 1998**

*Nomination of Candidate—Additional Information—Clause 8(1)(d) of Schedule 1*

(This form must be used if a person is nominating, or being nominated, as a candidate for election as a member of the Adelaide City Council and is a person whose name has been omitted in error from the voters roll, or who is a nominee of a body corporate or group which has had its name omitted in error from the voters roll.)

<sup>1</sup> Please read instructions below before filling in this form. Complete either A, B or C (as appropriate).

**A. PERSON CLAIMING ENTITLEMENT AS AN ELECTOR IN HIS OR HER OWN RIGHT**

I,<sup>2</sup> .....  
(Surname) (Given Name/s)

of<sup>3</sup> .....  
(Place of Residence)

hereby declare that I am of the opinion that I am an elector whose name has been omitted from the voters roll for the City of Adelaide as a result of an administrative error in the preparation of the roll. On or before the roll closing date—

*(Tick the relevant box)*

I was enrolled as a House of Assembly elector in respect of the above residential address

I lodged an application for enrolment in respect of the above residential address

I was entered in the assessment book as the sole owner or sole occupier of rateable property at the following address .....  
.....<sup>4</sup>

I also declare that I am of or above the age of 18 years.

.....  
(Signature)

.....  
(Date)

**B BODY CORPORATE CLAIMING ENTITLEMENT TO ENROLMENT**

I,<sup>5</sup> .....  
(Surname) (Given Name/s)

of .....  
(Contact address)

hereby declare that I am of the opinion that .....<sup>6</sup>  
is a body corporate which has had its name omitted from the voters roll for the City of Adelaide as a result of an administrative error in the preparation of the roll.

On or before the roll closing date the body corporate was entered in the assessment book as the sole owner or sole occupier of rateable property at the following address .....<sup>7</sup>

.....  
(Signature) (Date)

**C GROUP CLAIMING ENTITLEMENT TO ENROLMENT**

I,<sup>8</sup> .....  
(Surname) (Given Name/s)

of .....  
(Contact address)

hereby declare that I am of the opinion that the following group<sup>9</sup>:

.....  
.....  
.....

*(If space insufficient, please attach a list)*

is a group that has been omitted from the voters roll for the City of Adelaide as a result of an administrative error in the preparation of the roll.

On or before the roll closing date the members of the group were entered in the assessment book as ratepayers in respect of rateable property at the following address .....<sup>10</sup>

.....  
(Signature) (Date)

**INSTRUCTIONS**

1. This form is to be completed in block letters except for signatures.
2. Insert full name of claimant.
3. Insert full residential address of the claimant here. If the place of residence of the claimant cannot be identified by reference to a street name (whether with or without a house number) the hundred and section number in which the place of residence is situated is to be inserted.
4. Insert full address or other location details of the property.
5. Insert full name of person making the declaration. **This must be an officer of the body corporate.**
6. Insert full name of body corporate, including its A.C.N. or other identifying registration number (if any).
7. Insert full address or other location details of the property.
8. Insert full name of person making the declaration. **This must be a member of the group.**
9. Insert full names (underline surname) and addresses of the members of the group. If space is insufficient, please attach a list.
10. Insert full address or other location details of the property.

**FORM 6  
CITY OF ADELAIDE ACT 1998**

*Withdrawal of Nomination by Body Corporate or Group*

<sup>1</sup> Please read the note and instructions below before filling in this form.

PURSUANT to clause 9(3) of schedule 1 of the *City of Adelaide Act 1998*, the nomination of .....<sup>2</sup>  
.....<sup>2</sup>  
by .....<sup>3</sup>  
.....<sup>3</sup>  
as a candidate for election as a member of the Adelaide City Council is **withdrawn**.

I declare—

(a) that the body corporate or group has resolved to withdraw the nomination and that I am authorised to provide this notice on behalf of the body corporate or group;

AND

(b) that the nominated candidate has been notified that his or her nomination has been withdrawn.

.....  
(Signature)

.....  
(Date)

**NOTE**

**A** This form must be completed by—

(a) in the case of a nomination made by a body corporate—an officer of the relevant body corporate; or

(b) in the case of a nomination made by a group—a member of the relevant group, or an officer of a body corporate that is a member of the relevant group.

**B** This form must be delivered to the returning officer for the Adelaide City Council before the close of nominations for the relevant election.

**INSTRUCTIONS**

1. This form is to be completed in block letters except for signatures.
2. Insert full name and address of person who has been nominated.
3. Insert full name of body corporate, or name of group (as appropriate).

19.

**FORM 7**  
**CITY OF ADELAIDE ACT 1998**

[Form appears in *Gaz.* 8.10.98, p. 1076]

20.

**FORM 8**  
**CITY OF ADELAIDE ACT 1998**

[Form appears in *Gaz.* 8.10.98, p. 1076]

**FORM 9  
CITY OF ADELAIDE ACT 1998**

**CAMPAIGN DONATIONS RETURN**

<sup>1</sup>. Please read instructions and notes below before filling in this form.

FULL NAME OF CANDIDATE OR MEMBER<sup>2</sup>:

PERIOD TO WHICH RETURN RELATES<sup>3</sup>: ...../...../..... to ...../...../.....

I declare that between the dates referred to above—

no gifts<sup>4</sup> of a kind required to be disclosed<sup>5</sup> were received by me

OR

gifts<sup>4</sup> of a kind required to be disclosed<sup>5</sup> were received by me.  
The total value of those gifts is .....

The number of persons who made those gifts is .....

Specific details concerning such gift are provided below.

.....  
(Signature)

.....  
(Date)

**SPECIFIC DETAILS OF GIFTS**

AMOUNT OR VALUE OF EACH GIFT <sup>6</sup>	NAME AND ADDRESS OF EACH DONOR <sup>7</sup>	DATE ON WHICH GIFT MADE

*(If space is insufficient, please attach a list.)*

**INSTRUCTIONS/NOTES**

1. This form is to be completed in block letters except for signatures.
2. Any person who is a candidate for election to an office of the Adelaide City Council (whether or not successfully elected) must complete this form and furnish it to the chief executive officer of the council within six weeks after the conclusion of the election.
3. The period to which the return must relate is called the **disclosure period**. For the purposes of this return—
  - (a) subject to paragraph (b), the disclosure period is the period that commenced—
    - (i) in relation to a candidate in an election who was a new candidate (other than a candidate referred to in subparagraph (ii))—12 months before polling day for the election;
    - (ii) in relation to a candidate in an election who was a new candidate and when he or she became a candidate in the election was a member of the council by virtue of having been appointed under the *Local Government Act 1934*—on the day on which the person was so appointed as a member of the Council;
    - (iii) in relation to a candidate in an election who was not a new candidate—at the end of 30 days after polling day for the last preceding election in which the person was a candidate,

and that ended, in any of the above cases, at the end of 30 days after polling day for the election; and
  - (b) for the purposes of the general election held on 14 December 1998, the disclosure period for a candidate in the election is the period that commences on 10 September 1998 and that ends at the end of 30 days after polling day for the election; and
  - (c) a candidate is a new candidate, in relation to an election, if the person had not been a candidate in the last general election of the council and had not been elected at a supplementary election held after the last general election of the council.
4. A **gift** is a disposition of property made by a person to another person, otherwise than by will, being a disposition made without consideration in money or money's worth or with inadequate consideration, and includes the provision of a service (other than volunteer labour) for no consideration or for inadequate consideration.
5. A return need not set out any details in respect of—
  - (a) a private gift made to the candidate; or
  - (b) a gift if the amount or value of the gift is less than \$500.

A gift made to a candidate is a private gift if it is made in a private capacity to the candidate for his or her personal use and the candidate has not used, and will not use, the gift solely or substantially for a purpose related to an election.
6. Two or more gifts (excluding private gifts) made by the same person to a candidate during the disclosure period are to be treated as one gift.
7. The following information must be included:
  - (a) in the case of each gift made on behalf of the members of an unincorporated association, other than a registered industrial organisation—
    - (i) the name of the association; and
    - (ii) the names and addresses of the members of the executive committee (however described) of the association; and
  - (b) in the case of each gift purportedly made out of a trust fund or out of the funds of a foundation—
    - (i) the names and addresses of the trustees of the fund or of the funds of the foundation; and



- (ii) the title or other description of the trust fund or the name of the foundation, as the case requires; and
- (c) in the case of each other gift—the name and address of the person who made the gift.

A **registered industrial organisation** is an organisation registered under the *Industrial and Employee Relations Act 1994* or under a law of the Commonwealth or another State or a Territory concerning the registration of industrial organisations.

**NOTE**

If a person who is required to furnish a return considers that it is impossible to complete the return because he or she is unable to obtain particulars that are required for the preparation of the return, the person may—

- (a) prepare the return to the extent that it is possible to do so without those particulars; and
- (b) furnish the return so prepared; and
- (c) give to the chief executive officer notice in writing—
  - (i) identifying the return; and
  - (ii) stating that the return is incomplete by reason that he or she is unable to obtain certain particulars; and
  - (iii) identifying those particulars; and
  - (iv) setting out the reasons why he or she is unable to obtain those particulars; and
  - (v) if the person believes, on reasonable grounds, that another person whose name and address he or she knows can give those particulars—stating that belief and the reasons for it and the name and address of that other person.

**FORM 10  
CITY OF ADELAIDE ACT 1998**

**CAMPAIGN EXPENDITURE RETURN**

<sup>1</sup> Please read instructions and notes below before filling in this form.

FULL NAME OF CANDIDATE OR MEMBER<sup>2</sup>:

DATE OF RELEVANT ELECTION:...../...../.....

I declare that the total amount of campaign expenditure<sup>3</sup> incurred by me or with my authority—

did not exceed \$500 (Write NIL in the chart below)

OR

exceeds \$500 and details concerning this expenditure are provided below.

..... (Signature) ..... (Date)

Item or type of expenditure <sup>4</sup>	Supplier or provider of service <sup>4</sup>	Amount

*(If space is insufficient, please attach a list.)*

**INSTRUCTIONS/NOTES**

1. This form is to be completed in block letters except for signatures.
2. Any person who is a candidate for election to an office of the Adelaide City Council (whether or not successfully elected) must complete this form and furnish it to the chief executive officer of the council within six weeks after the conclusion of the election.
3. For the purposes of the *City of Adelaide Act 1998* (and this form), campaign expenditure, in relation to an election, is expenditure incurred on—
  - (a) the broadcasting of an electoral advertisement relating to the election; or
  - (b) the publishing in a journal of an electoral advertisement relating to the election; or
  - (c) the display at a theatre or other place of entertainment, of an electoral advertisement relating to the election; or
  - (d) the production of an electoral advertisement relating to the election, being an advertisement that is broadcast, published or displayed as mentioned in paragraph (a), (b), or (c); or

- (e) the production of any material (not being material referred to in paragraph (a), (b) or (c)) that is required under section 133 of the *Local Government Act 1934* to include the name and address of the author of the material or of the person who is the printer of the material (in the case of printed electoral material); or
- (f) consultants' or advertising agents' fees in respect of—
  - (i) services relating to the election; or
  - (ii) material relating to the election; or
- (g) the carrying out of an opinion poll, or other research, relating to the election; or
- (h) the production and distribution of electoral material that is addressed to particular persons or organisations.

An **electoral advertisement** is an advertisement containing electoral material.

**Electoral material** is an advertisement, notice, statement or representation calculated to affect the result of an election.

4. You must set out specific information about each individual item of expenditure.

**NOTE**

If a person who is required to furnish a return considers that it is impossible to complete the return because he or she is unable to obtain particulars that are required for the preparation of the return, the person may—

- (a) prepare the return to the extent that it is possible to do so without those particulars; and
- (b) furnish the return so prepared; and
- (c) give to the chief executive officer notice in writing—
  - (i) identifying the return; and
  - (ii) stating that the return is incomplete by reason that he or she is unable to obtain certain particulars; and
  - (iii) identifying those particulars; and
  - (iv) setting out the reasons why he or she is unable to obtain those particulars; and
  - (v) if the person believes, on reasonable grounds, that another person whose name and address he or she knows can give those particulars—stating that belief and the reasons for it and the name and address of that other person.