

CountiesEnergyTrust



CANDIDATE INFORMATION HANDBOOK 2023 Election of Trustees

Disclaimer: Every effort has been made to ensure that the information contained in this handbook is accurate and consistent with the Counties Energy Trust Deed of Trust. Counties Energy Trust takes no responsibility for any errors or omissions. It is recommended that candidates obtain a full copy of the Deed which is available on request from Counties Energy Trust.

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Overview

This handbook provides information which may be of interest to you as a candidate in the 2023 Counties Energy Trust (formerly the Counties Power Consumer Trust) election of trustees.

The Counties Energy Trust district covers the former Franklin District Council area and part of the former Papakura District Council area (refer to the map on page 8).

Trustees hold all the shares in Counties Energy Limited on behalf of consumers (the beneficiaries) who are connected to the electricity network. Their task is to ensure the value of the investment is protected and enhanced, now and into the future.

The trustees' duties also include the appointment of directors of Counties Energy Limited. Five trustees are elected to the Trust by consumers of Counties Energy Limited.

An election is held every two years, and trustees are elected on a 'rotational' basis with two current trustees required to stand down, but are eligible for re-election.

An election is being held in 2023, by postal and online voting, for two trustees.

The election will be conducted under the provisions of the Counties Energy Trust Deed of Trust. Where electoral procedures are silent in the Deed, the procedures contained in the Local Electoral Act 2001 are followed.

Key dates for a candidate

Nominations open	Tuesday 2 May 2023
Nominations close	noon, Tuesday 13 June 2023
Consumer roll closes	Friday 23 June 2023
Delivery of voting mailers	from Friday 14 July 2023
Removal of election signs	by midnight, Friday 4 August 2023
Close of voting	12 noon, Saturday 5 August 2023
Results available	As soon as practicable after close of voting, Saturday 5 August 2023
Public notice of election results	from Wednesday 9 August 2023

Contact us

Returning officer:



Dale Ofoske, Independent Election Services Ltd
Level 2, 198 Federal Street, Auckland 1010
PO Box 5135, Victoria Street West, Auckland 1142
Phone - 0800 922 822
Email - info@electionservices.co.nz
Website - www.electionservices.co.nz

Standing for election

Candidate qualifications

A candidate for the Counties Energy Trust **must** be:

- enrolled as a Parliamentary elector and resident within the Counties Energy Trust district; and
- a consumer of electricity within the Counties Energy Trust district; and
- nominated by a nominator and seconder, both of whom must be consumers of electricity within the Counties Energy Trust district.

Candidate restrictions

A candidate for the Counties Energy Trust **cannot** be:

- a bankrupt who has not obtained a final order of discharge or whose order of discharge has been suspended for a term not yet expired, or is subject to a condition not yet fulfilled, or to any other order under Section 111 of the Insolvency Act 1967; or
- a person who has been convicted of any offence punishable by a term of imprisonment of 2 or more years unless that person has obtained a pardon or has served the sentence or otherwise suffered the sentence imposed upon that person; or
- a person who has been sentenced to imprisonment for any offences unless that person has obtained a pardon or has served the sentence; or
- a person to whom an order made under Section 151 of the Companies Act 1993 applies; or
- a person who is mentally disordered within the meaning of the Mental Health Act 1969; or

- a person who is subject to a property order made under Section 30 or Section 31 of the Protection of Personal and Property Rights Act 1989; or
- a person who is not ordinarily resident in the district; or
- a person who is not ordinarily a Consumer¹ of the Company²; or
- a person who is a Director of the Company²; or
- a person who is not a parliamentary elector for the purposes of the Electoral Act 1993; or
- a person who is the Returning Officer; or
- a person who is an employee of the Company.

¹Beneficiaries" (hereinafter referred to as the "Consumer" or "Consumers") means persons who, at any appropriate date designated by the Trustees from time to time are named in the records of the Company and/or any Electricity Supply Business as persons whose premises are connected to the Company's lines network within the District and who are liable (whether alone or jointly or with any other person) for payments to any Electricity Supply Business for electricity conveyed in relation to those lines. It is acknowledged that an Electricity Supply Business shall not be deemed to be a "Beneficiary" except to the extent that it is itself a consumer of such electricity as opposed to a seller of such electricity.

² "Company" means Counties Power Ltd. and includes any successor company or any company arising out of any reconstruction, amalgamation or merger of the Company.

Consumer Roll

The Consumer Roll is compiled for the issuing of voting mailers only, and has been provided to the returning officer on a confidential basis.

The roll is therefore not available for public inspection, although candidates may enquire from the returning office whether a name appears on the roll or not.

Consumers may contact the returning office on 0800 922 822.

Nominations

Elections required

Elections will be held for two (2) trustees to the Counties Energy Trust this year.

Nominations will open on Tuesday 2 May 2023 and close at noon on Tuesday 13 June 2023.

A public notice calling for nominations will appear in the:

- West Franklin Breeze in the May publication
- Franklin County News on Tuesday 2 May 2023
- Papakura Courier on Wednesday 3 May 2023; and
- on the Counties Energy Trust website at www.countiesenergytrust.org.nz

Nominations must be made on the official nomination paper, which is available from Tuesday 2 May 2023:

- by phoning the Returning Office on 0800 922 822;
- by emailing info@electionservices.co.nz;
- by accessing www.countiesenergytrust.org.nz

Completion of nomination paper

The candidate must complete and sign the front page of the nomination paper to indicate their consent to stand as a candidate for the Counties Energy Trust election.

Each nomination paper must be completed and signed by a nominator and seconder, who meet the eligibility criteria.

A candidate may not nominate themselves for office.

Each nomination paper must be accompanied by the required deposit of \$200 (inclusive of GST).

Payment of the nomination deposit can be made by electronic bank transfer, eftpos or cash. Evidence of an electronic bank transfer will be required to accompany the nomination.

Electronic bank payment details are:

Account name: Independent Election Services Ltd
Bank: ANZ
Account number: 01 0102 0437238 00
Particulars: your initials and surname
Code: CET
Reference: Nomination

The nomination deposit is refunded if the candidate polls greater than 25% of the lowest successful candidate.

If a candidate is commonly known in the community by a slightly different name (eg Edward Smith is commonly known as Ted Smith) and has been known by this name for at least the last six months (to the satisfaction of the returning officer), the commonly known name may appear on the voting document.

Candidates are not permitted to use official titles or ranks etc as part of their name on the voting document.

The use of degrees or qualifications is also not permitted on the voting document after a candidate's name.

The use of titles or ranks, and qualifications may be included as part of the candidate profile statement.

Candidates may provide the returning officer with a candidate profile statement with their nomination. This statement should contain information about the candidate, their qualifications and skills applicable to the position for which they are standing and their policies/intentions if elected to office. The candidate profile statement must not exceed 150 words and be true and accurate (the returning officer is not required to verify or investigate any information included in this statement).

Candidates may also provide a passport sized, colour photo with their nomination paper.

The candidate profile statement and colour photo will be included with the voting document sent to each elector.

Return of nomination paper

Nomination papers must be in the hands of the returning officer or an electoral official not later than 12 noon on Tuesday 13 June 2023.

The lodgement of nomination papers should not be left to the last minute. Should a nomination paper be lodged late on the morning nominations close, and be incorrectly completed or ineligible nominators are provided, there may be insufficient time to correct the situation and the nomination paper could be invalidated.

Please do not leave lodging your nomination to the last minute.

Nominations can be returned by mail, but should these be received by the returning officer or electoral official after the close of nominations, the nomination is invalid.

Completed nomination papers can be hand-delivered to:

- the Returning Office
Independent Election Services Ltd
Level 2, 198 Federal Street
Auckland

or posted to:

- the Returning Office
PO Box 5135
Victoria Street West
Auckland 1142

All nomination materials (nomination paper, candidate profile statement, photo and nomination deposit) should be lodged together.

A receipt will be issued to acknowledge that a nomination has been received. This receipt does not constitute acknowledgment that the nomination paper is in order.

Once lodged, nomination papers are checked to ensure the candidate and nominators are eligible and that all sections of the nomination paper have been completed correctly.

After the close of nominations

Once nominations have closed, a list of all candidates will be provided to Counties Energy Trust and the media.

A public notice advising of the candidate names will be published in the aforementioned newspapers from Tuesday 20 June 2023.

Voting

Key message

The three-week voting period is Friday 14 July to 12 noon Saturday 5 August 2023.

Those eligible to vote at this election are consumers of Counties Energy Limited as at the close of the roll at 5pm, Friday 23 June 2023. Each consumer will be distributed one voting paper, regardless of the number of electricity connections that the consumer may have. In respect of joint consumers, a vote will be deemed to have been exercised in the name of the joint consumers upon receipt of the completed voting paper by the returning officer.

Voting packs are posted to consumers from Friday 14 July 2023, with special votes available to those who have not received an ordinary vote during the voting period.

Voting period

Those eligible to vote in the Counties Energy Trust election are all consumers of Counties Energy Limited, whose names appear on the Consumer Roll, at 5pm on Friday 23 June 2023.

The election is being conducted by postal and online vote.

Voting documents are posted to all consumers of Counties Energy Limited, whose names appear on the Final Consumer Roll, with delivery commencing Friday 14 July 2023.

Each voting document will include a set of unique online voting credentials for the purpose of online voting.

Each elector, after receiving their voting document, can either complete it, seal it in the return postage-paid envelope, and post or deliver it to the returning office, or follow the instructions to cast their vote online.

A ballot box will be available from Friday 14 July 2023 until noon on Saturday 5 August 2023 (during normal office hours) for the hand-delivery of voting documents at Counties Energy Trust, Unit 6, Level 2, 23 Hall Street, Pukekohe.

When posting voting documents back, it is recommended that these be posted by 5pm, Monday 31 July 2023.

To be counted, all completed voting documents must be in the hands of the returning officer by noon on Saturday 5 August 2023. The preliminary result will be known early afternoon.

Voting documents cannot be collected by candidates or their assistants.

Special voting

Special votes are available to electors:

- who do not receive a voting document previously posted to them; or
- who have spoilt or damaged a voting document previously sent to them.

Special voting documents are available from Friday 14 July 2023 to 12 noon, Saturday 5 August 2023:

- by phoning the returning office on 0800 922 822, for one to be posted out; or
- in person at Counties Energy Trust Unit 6, Level 2, 23 Hall Street, Pukekohe.

Special votes cannot be collected by candidates or their assistants for distribution to electors.

Campaigning

Key message

Election campaigning can commence anytime and may continue up to and including election day. However, the locations and periods of display of election signs depend on the territorial authority you are campaigning in

The Trust area is within two territorial authority boundaries - Auckland Council and Waikato District Council.

Each Council in the Trust area has different requirements, bylaws and policies for the display of election signs and if erecting election signs, candidates are encouraged to familiarise themselves with the relevant council rules.

All signs must be erected in a stable fashion, not being a hazard to public or traffic safety.

Candidates planning to display election signs on public property are encouraged to check the bylaws and approved signs sites with Auckland Council. See www.at.govt.nz/about-us/bylaws/election-signs-bylaw

Election advertising, using any media, must identify:

- the true name of the person under whose authority they have been produced and
- the contact details of the person under whose authority they have been produced.

[Section 113(2)(b), Local Electoral Act 2001]

Contact details under the Local Electoral (Advertising) Amendment Act 2022 may include one or more of the following:

- a residential or business address;
- an email address;
- a PO Box number;
- a phone number;
- a link to a page on an internet site, if the page contains one or more of the contact details specified above.

This applies to election advertising using any media during a candidate's entire campaign and may include media such as posters, advertisements, signs/hoardings, vehicle signage, websites, social media posts.

Campaign advertisements are subject to the Advertising Standards Authority (ASA) Code, which is accessible at www.asa.co.nz/codes/codes/advertising-standards-code/

Campaigning

No election material may contain an imitation voting document which has the names of the candidates with any direction or indication as to the candidate a person should vote for, or in any way contains such direction or indication likely to influence the voter.

Voting documents should not be collected from consumers by candidates or their assistants. Each consumer should post or deliver his or her own voting document to the returning officer.

Candidates should be aware that it is an offence (carrying a fine of up to \$5,000, if convicted) to interfere in any way with an elector with the intention of influencing or advising that elector as to how he or she should vote.

Election Signs and Hoardings

Election signs and hoardings

Election signs can be referred to as hoardings, posters, signs or other similar types of promotion that are used to display information relating to the election of a candidate(s) or choice of political party or promotions of issues relating to a referendum.

Candidates must comply with the relevant Council rules when erecting election signs, as outlined below.

AUCKLAND COUNCIL AREA - Election Signs Bylaw:

The display of election signs and hoardings is governed by the Auckland Council's policy and bylaw found on www.at.govt.nz/about-us/bylaws/election-signs-bylaw

Election signs are to display the true name and contact details of the person authorising them.

Election signs are permitted on private property (with the owner's consent), and on designated public sites within nine weeks preceding the election (from 3 June 2023).

Election signs must be removed prior to election day (i.e. by midnight of Friday 4 August 2023).

WAIKATO DISTRICT COUNCIL AREA - Waikato District Council Public Places Bylaw 2016 (Part 6: Control of electoral signage):

The display of election signs and hoardings is governed by the Waikato District Council Public Places Bylaw 2016, which can be found at: https://www.waikatodistrict.govt.nz/docs/default-source/your-council/plans-policies-and-bylaws/bylaws/public-places-bylaw-2016.pdf?sfvrsn=d48bb8c9_6

Election signs are permitted two months before election day (from 5 June 2023) but must be removed by midnight, Friday 4 August 2023.

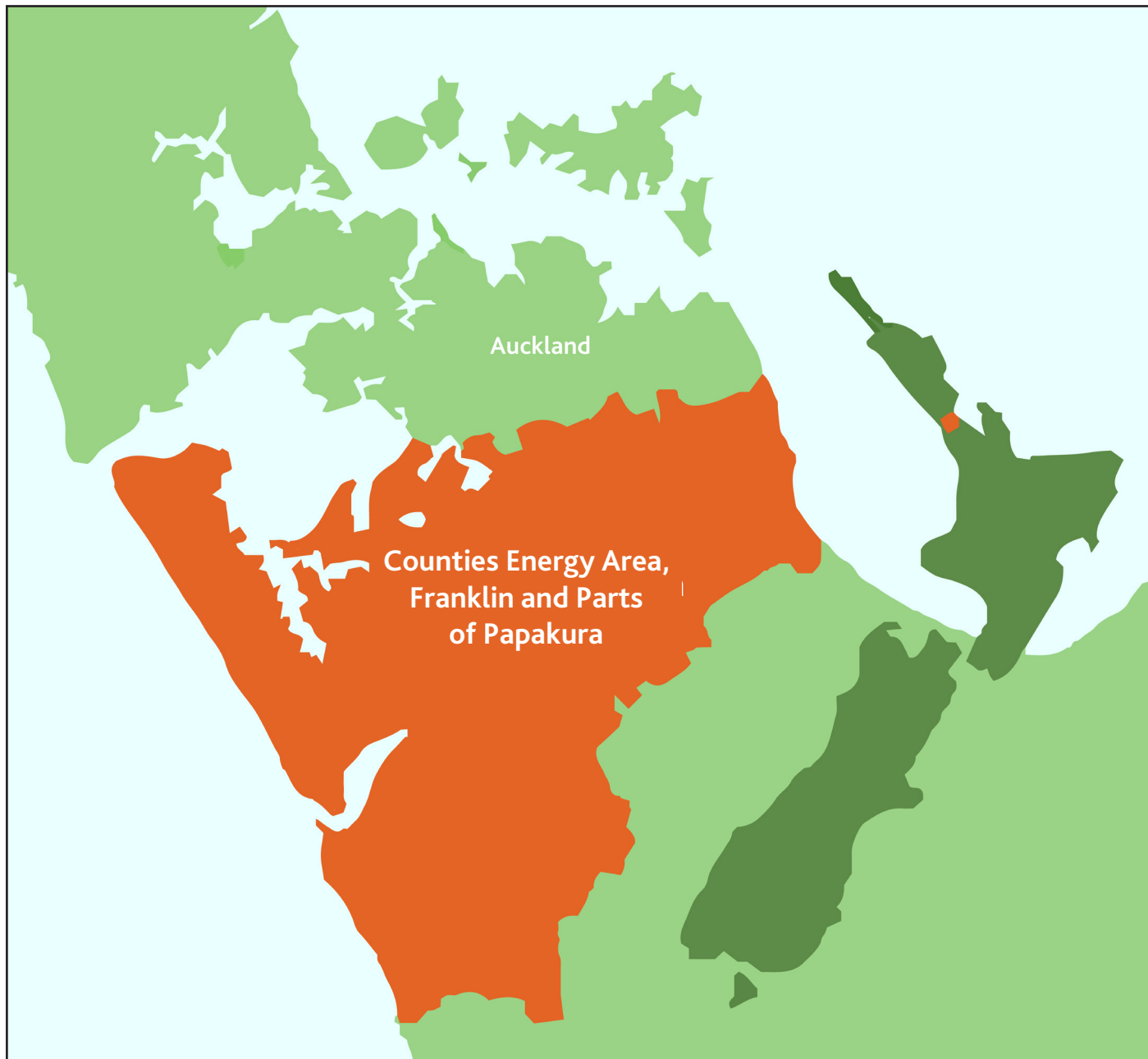
No signs advertising candidates for an election or referendum shall exceed 3m² in area.

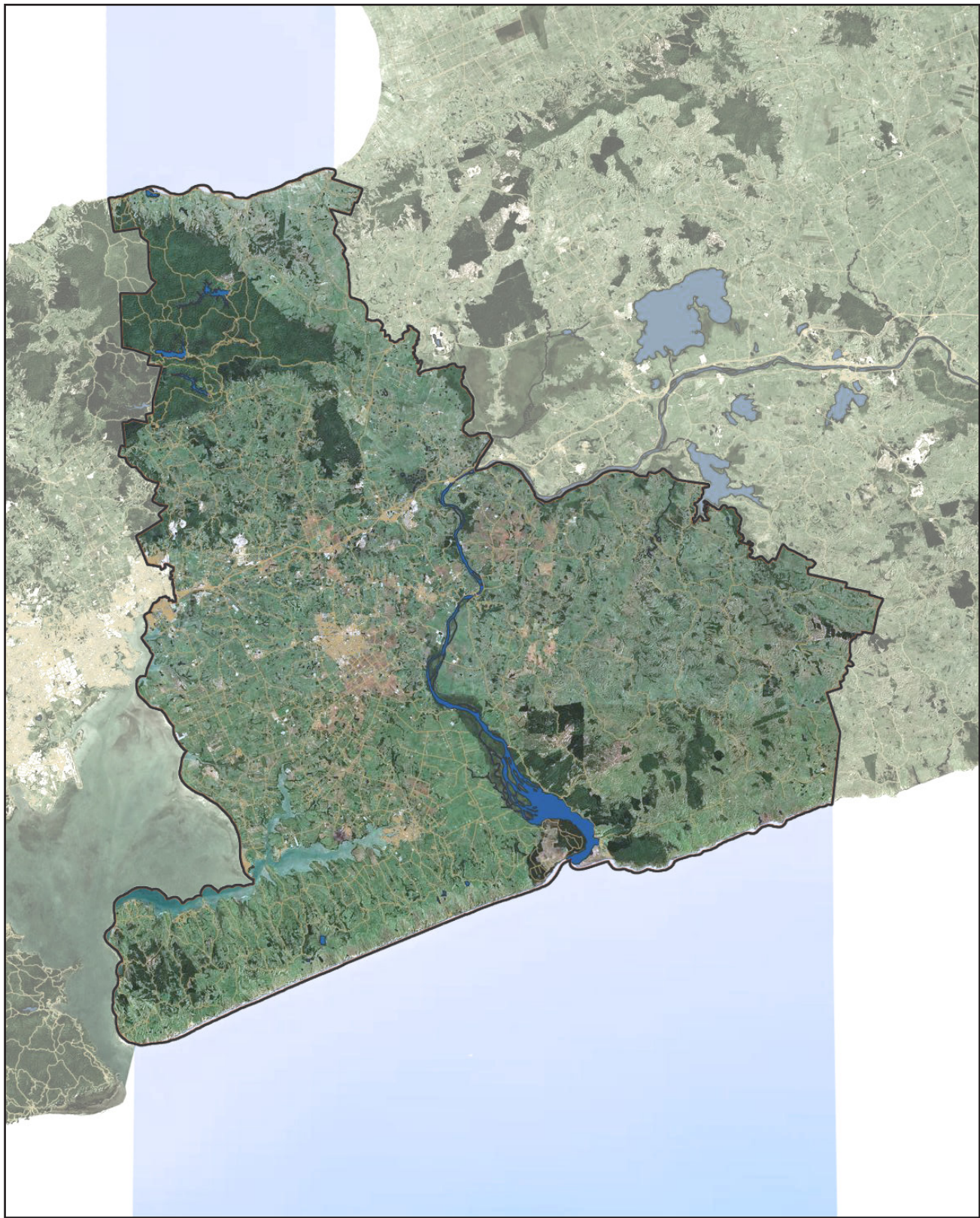
No sign for an election or referendum shall be placed on any reserve or public place except those specially approved by the Council.

If there is any uncertainty around the specific rules, it is recommended that candidates contact the relevant Council's **signs compliance team** to discuss further -

Auckland Council area	www.aucklandcouncil.govt.nz	Phone: (09) 301 0101
Waikato District Council area	www.waikatodistrict.govt.nz	Phone: (0800) 492 452

Counties Energy Area 2023







election
services