

COUNTIES **POWER**
CONSUMER TRUST

2019 CANDIDATE INFORMATION HANDBOOK

COUNTIES POWER CONSUMER TRUST
ELECTION OF TRUSTEES



COUNTIES POWER
CONSUMER TRUST

Disclaimer: Every effort has been made to ensure that the information contained in this handbook is accurate and consistent with the Counties Power Consumer Trust Deed of Trust. Counties Power Consumer 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 Power Consumer Trust.

April 2019

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Overview

This handbook provides information which may be of interest to you as a candidate in the 2019 Counties Power Consumer Trust election of trustees.

The Counties Power Consumer Trust district covers the former Franklin District Council area and part of the former Papakura District Council area.

All the shares in Counties Power Ltd are held by the trustees of the Counties Power Consumer Trust for the benefit of the Consumers of Counties Power Ltd.

The trustees' duties include the appointment of directors of Counties Power Ltd. In the past year, discounts of approximately \$11.9m (incl GST) were credited to Consumers power accounts.

Five trustees are elected to the Trust by consumers of Counties Power Limited.

An election is held every two years, and trustees are elected on a 'rotational' basis.

An election is being held in 2019, by postal and online voting, for two trustees.

The election will be conducted under the provisions of the Counties Power Consumer 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 30 April 2019
Nominations close	noon, Tuesday 11 June 2019
Consumer roll closes	Friday 21 June 2019
Delivery of voting mailers	from Friday 12 July 2019
Removal of election signs	by midnight, Friday 2 August 2019
Close of voting	12 noon, Saturday 3 August 2019
Results available	As soon as practicable after close of voting, Saturday 3 August 2019
Public notice of election results	from Wednesday 7 August 2019

Contact us

Returning officer:



Dale Ofoske, Independent Election Services Ltd
Level 2, 198 Federal Street, Auckland 1010
PO Box 5135, Wellesley Street, Auckland 1141
Phone - 0800 922 822
Email - dale.ofoske@electionservices.co.nz
Website - www.electionservices.co.nz

Standing for election

Candidate qualifications

A candidate for the Counties Power Consumer Trust **must** be:

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

Candidate restrictions

A candidate for the Counties Power Consumer 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 Power Consumer Trust this year.

Nominations will open on Tuesday 30 April 2019 and close at noon on Tuesday 11 June 2019.

A public notice calling for nominations will appear in the:

- New Zealand Herald
on Tuesday 30 April 2019
- Franklin County News
on Tuesday 30 April 2019
- Papakura Courier
on Wednesday 1 May 2019
- The Post
on Tuesday 7 May 2019.

Nominations must be made on the official nomination paper, which is available from Tuesday 30 April 2019:

- by phoning the Returning Office on 0800 922 822;
- by emailing info@electionservices.co.nz;
- by accessing www.countiespowertrust.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 Power Consumer 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 01
Particulars: your initials and surname
Code: CPCT
Reference: Nomination

Cheques will be accepted but not preferred (should they be dishonoured and the nomination invalidated).

Should a cheque payment be made, cheques should be payable to: Independent Election Services Ltd.

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 noon on Tuesday 11 June 2019.

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 electoral 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
Wellesley Street
Auckland 1141

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 Power Consumer Trust and the media.

A public notice advising of the candidate names will be published in the aforementioned newspapers from Tuesday 18 June 2019.

Key message

The three-week voting period is Friday 12 July to noon Saturday 3 August 2019.

Those eligible to vote at this election are consumers of Counties Power Ltd as at the close of the roll at 5pm, Friday 21 June 2019. 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 12 July 2019, 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 Power Consumer Trust election are all consumers of Counties Power Ltd, whose names appear on the Consumer Roll, at 5pm on Friday 21 June 2019.

The election is being conducted by postal and online vote.

Voting documents are posted to all consumers of Counties Power Ltd, whose names appear on the Final Consumer Roll, with delivery commencing Friday 21 July 2019.

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 21 July 2019 until noon on Saturday 3 August 2019 (during normal office hours) for the hand-delivery of voting documents at Counties Power Consumer Trust, Unit 6, Level 2, 23 Hall Street, Pukekohe.

When posting voting documents back, it is recommended that these be posted by 5pm, Tuesday 30 July 2019.

To be counted, all completed voting documents must be in the hands of the returning officer by noon on Saturday 3 August 2019. 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 21 July 2019 to noon, Saturday 3 August 2019:

- by phoning the returning office on 0800 922 822, for one to be posted out; or
- in person at Counties Power Consumer 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 there are certain constraints candidates need to be aware of.

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 physical address (not a PO Box) of the person under whose authority they have been produced.

[Section 113, Local Electoral Act 2001]

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 electors by candidates or their assistants. Each consumer should post or deliver his or her own voting document to the returning officer. This also applies to resthomes and hospitals - voting documents should not be collected from elderly or infirm electors by candidates or their assistants.

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. Candidates and their assistants should be mindful of this particularly if campaigning occurs in rest homes or hospitals.

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.

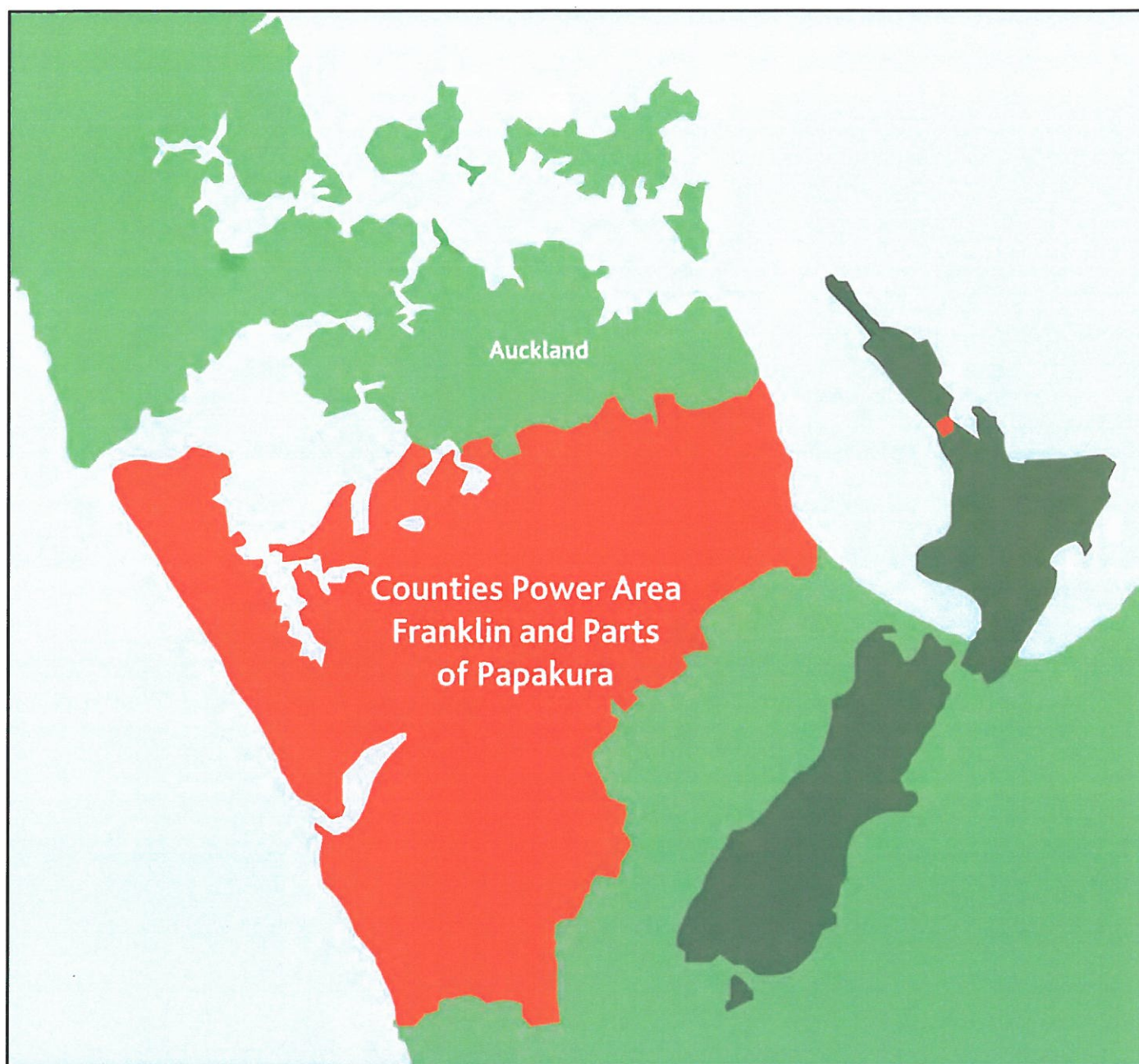
The display of election signs and hoardings is governed by the Auckland Council's policy and bylaw found on www.at.govt.nz/about-us/bylaws/election-signs-bylaw

Election signs are to display the true name and physical address (place of residence or business) of the person authorising them.

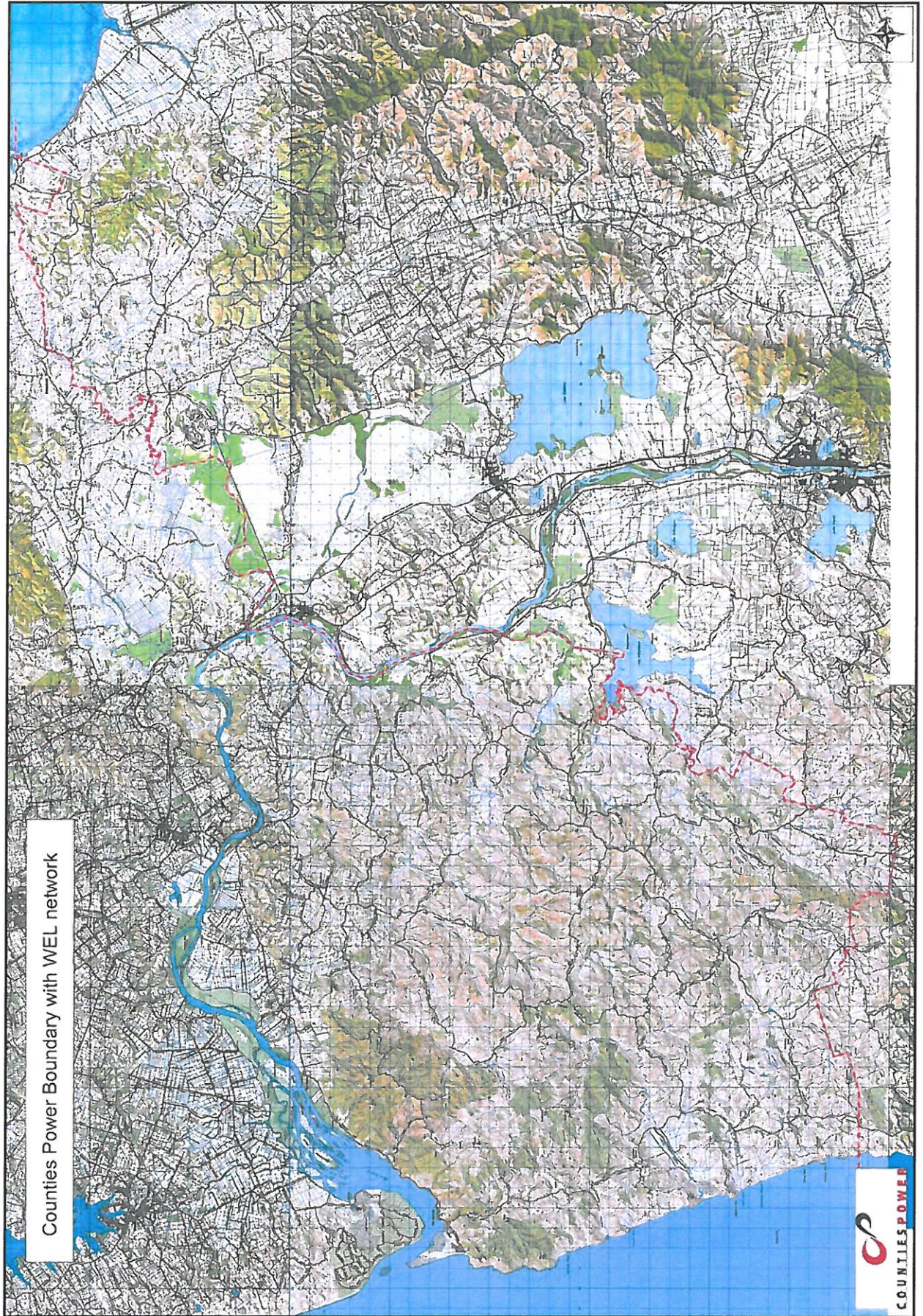
Election signs are permitted on private property (with the owner's consent), and on designated public sites within the nine weeks preceding the election (from 1 June 2019).

Election signs must be removed prior to election day (i.e. by midnight of Friday 2 August 2019).

Counties Power Area 2019



Counties Power Boundary 2019

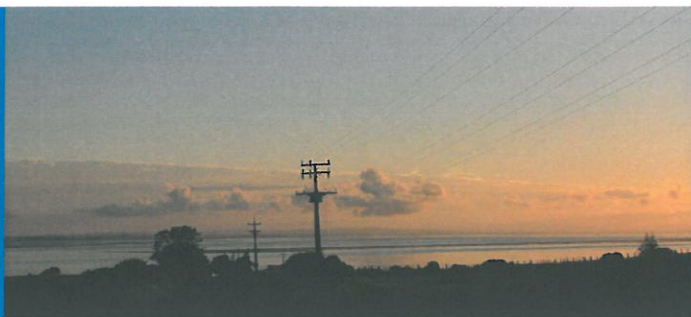


COUNTIES **POWER**
CONSUMER TRUST

Fact Sheet

Biennial Election

Counties Power Consumer Trust
3 August 2019



General

All the shares in Counties Power Ltd are held by the trustees of the Counties Power Consumer Trust for the benefit of the Consumers of Counties Power Ltd.

The trustees' duties include the appointment of directors of Counties Power Ltd. In the past year, discounts of approximately \$11.9m (incl GST) were credited to Consumers power accounts.

2019 election

Five trustees are elected to the Trust by Consumers of Counties Power Ltd. The current trustees are Phil Beston, Alan Eyes, Christine Rupp, David Spratt and Don Thomson.

The trustees are elected on a 'rotational basis' as prescribed by the Trust Deed and for the 2019 election, two trustee positions require election - two current trustees (Phil Beston and Don Thomson) will stand down (and are eligible for re-election).

An election to fill the vacancies will occur by postal and online voting concluding on **Saturday 3 August 2019**.

Nominations

Nominations for the vacancies will open on **Tuesday 30 April 2019** and close at **12 noon Tuesday 11 June 2019**.

Candidates must be aged over 18 years, be resident in the district and a Consumer of Counties Power Ltd.

Nomination forms will be available from the returning officer, by phoning **0800 922 822** to have one posted out, or calling at the offices of Election Services, Level 2, 198 Federal Street, Auckland or downloading one from www.countiespowertrust.org.nz

A candidate information handbook is also available to all candidates.

Consumer Roll

Those eligible to vote at this election will be Consumers of Counties Power Ltd as at the close of the roll at **5pm Friday 21 June 2019**. 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 period

Voting papers will be posted to all eligible Consumers from **Friday 12 July 2019**.

Consumers may vote by;

- posting their completed voting paper back to the returning officer using the pre-paid envelope; or
- voting online (using the unique voter credentials shown on the voting paper); or
- hand delivering their completed voting paper to a ballot box at the Counties Power Consumer Trust, Unit 6, Level 2, 23 Hall Street, Pukekohe.

To be counted, all completed voting papers must be in the hands of the returning officer by **12 noon, Saturday 3 August 2019**.

The preliminary result will be known as soon as practicable after **12 noon, Saturday 3 August 2019**.

Contact details

For any further information regarding this election of trustees to the Counties Power Consumer Trust, please contact the returning officer:

Telephone: **0800 922 822**

Email: info@electionservices.co.nz

Write to: The Returning Officer
Counties Power Consumer Trust
C/- Election Services
P O Box 5135
Wellesley Street
Auckland 1141

Dale Ofoske, **Returning Officer**
Counties Power Consumer Trust

