Scrutineers play a hugely important role in providing independent assurance to voters that elections are being conducted fairly. This handbook is designed to provide you with everything you will want to know about being a scrutineer at a parliamentary election.

It is part of a series produced by the Electoral Commission to help people understand how parliamentary elections work. You can find the rest of the handbooks on our website: www.elections.govt.nz.

The handbook is a general guide based on our understanding of the law. If you are unsure about how the rules apply please ask the Electoral Commission.

We are here to help.

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Role of scrutineers

Scrutineers appointed by candidates and parties play an important role in maintaining the integrity of the electoral system. The role of a scrutineer is to observe the conduct of the election, to provide assurance that the electoral procedures and rules have been followed by officials and by voters.

Key information for scrutineers in voting places

<table>
<thead>
<tr>
<th>Allowed</th>
<th>Not allowed</th>
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<tbody>
<tr>
<td>Scrutineers can record the names, page and line numbers of persons who have voted and relay this information to the campaign team</td>
<td>No touching of any voting materials at any point</td>
</tr>
<tr>
<td>Can wear a party lapel badge or rosette and clothing in party colours</td>
<td>Cannot wear or display any items with the candidate or party name or logo</td>
</tr>
<tr>
<td>Can ask an issuing officer to question a voter suspected of voting more than once or as somebody else</td>
<td>No communicating with any voter</td>
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Appointment

Scrutineers may be appointed by candidates at various stages of the election process. Electorate candidates may appoint scrutineers to observe:

- the issue of votes in voting places and advance voting places and the preliminary count in voting places on election day
- the early count of advance votes after 9am on election day in the Returning Officer's headquarters
- the checking of special vote declarations at the office of the Registrar of Electors
- the scrutiny of the rolls in the Returning Officer's headquarters
- the official count at the Returning Officer's headquarters, and
- judicial recounts of electorate votes.

A candidate cannot act as a scrutineer.

List only candidates cannot appoint scrutineers.

Party secretaries of registered parties contesting the party vote at a general election may appoint scrutineers to observe:

- the issue of votes in voting places and advance voting places, and the preliminary count in voting places where their party is contesting the party vote at a general election but not standing an electorate candidate in that electorate
- judicial recounts of party votes, and
- the allocation of party list seats by the Electoral Commission.

Local party organisations may, with the approval of the person in charge of a hospital or rest home, appoint scrutineers to accompany an electoral official issuing hospital votes on or before election day.
Appointment in writing

Your appointment as a scrutineer must be in writing. It can be an original, fax or photocopy. It must specify the place or places you have been appointed to act as a scrutineer.

You should take your written appointment with you when attending to act as a scrutineer and show it to the relevant electoral official.

Appointments can be made using the form at the back of this booklet. Copies of the appointment form are also available from the Returning Officer or can be downloaded from elections.org.nz.

A candidate may either do separate appointments for each scrutineer or appoint multiple scrutineers on one form.

Declaration of secrecy

Before being allowed to act as a scrutineer, you must complete a declaration that you will not infringe the secrecy of the poll. A copy of the declaration form is attached to this handbook.

The declaration can be made before a Justice of the Peace, solicitor or Returning Officer. If you are appointed to attend at a voting place, the declaration may also be made before an electoral official at the voting place.

Keep the declaration with you. If you attend more than one voting place the declaration will need to be shown to the Voting Place Manager at each one.

If you are appointed to attend the checking of special vote declarations, the declaration may also be made before the Registrar of Electors.

The secrecy declaration that you do is not just about protecting the secrecy of voting. It is also about not disclosing any information acquired in your role as a scrutineer except as permitted by the Act.

Remuneration

No remuneration is paid to scrutineers by the Electoral Commission.

Age limit for scrutineers

There is no minimum or maximum age limit specified in the Electoral Act for persons to act as scrutineers. However, scrutineers need to be old enough to understand the declaration they are making and the rules. 16 years old and over is recommended.

Number of scrutineers allowed

A candidate can appoint scrutineers for all or some voting places and advance voting places.
The number of scrutineers for a candidate at any one time must not exceed the number of Issuing Officers designated for a voting place or advance voting place.

A candidate can appoint one scrutineer to attend the early count of advance votes at the Returning Officer’s headquarters.

One scrutineer per candidate can attend the scrutiny of the rolls and the official count, unless the Returning Officer allows more.

Each candidate may appoint scrutineers to attend the Registrar of Electors to observe the checking of special vote declarations against the electoral rolls. Only one scrutineer per candidate may attend at any given time.

**Scrutiny at the voting place**

Scrutineers can be present at voting places and advance voting places to observe the issue of votes.

If you are appointed to observe the issue of votes at a voting place you may:

- ask an Issuing Officer to question a voter who the scrutineer suspects of impersonation or dual voting
- record and communicate to party officials the names of persons who have voted in the voting place
- observe the preliminary count (see below for more information).

**Opening times for voting**

Advance voting will start on 11 September. The opening times for advanced voting places are published at [www.elections.org.nz](http://www.elections.org.nz) or can be confirmed by contacting the Returning Officer’s headquarters.

Voting places on election day are open between 9am and 7pm.

On election day, be at the voting place before 8.45am to allow time for your appointment, declaration of secrecy, and seating to be settled before voting commences at 9am.

**What to do when you arrive**

When you arrive show your letter of appointment to the Voting Place Manager or electoral official in charge. Remember your appointment letter must specify the particular voting place or places where you are appointed to act as a scrutineer.

Show your completed declaration of secrecy to the Voting Place Manager or complete the declaration in front of an electoral official.

The Voting Place Manager may provide a short briefing for scrutineers, including any health and safety issues, before the voting place opens.

**Seating**

Scrutineers must sit behind the Issuing Officers, not at the Issuing Officer’s table. Follow the Voting Place Manager’s
directions about where you can sit. Scrutineers for other candidates may also be sitting behind the Issuing Officer.

It is important to keep your interactions with other scrutineers discreet and co-operative. Voting Place Managers cannot guarantee you a chair. Have a portable chair in the boot of your car just in case.

**Scrutineer label**

The Voting Place Manager will provide you with a candidate scrutineer identification label. Please wear the label, in addition to any party lapel badge or rosette, to avoid voters being confused and thinking there are electoral officials wearing party badges in the voting place.

**Party lapel badges**

You may wear a party lapel badge in public and in the voting place or advance voting place. A party lapel badge is a badge or rosette designed to be worn on the lapel and bearing the party’s name, emblem, slogan or logo, but not a candidate’s name. It may be worn anywhere on your person, but may not be displayed on other items, for example on a bag on election day.

**Clothing promoting the party or candidate**

You must not wear clothing (such as t-shirts) promoting the party or candidate on election day.

Scrutineers may not wear or display any campaign items, such as t-shirts or hats with candidate or party logos or slogans, inside advance voting places or within 10 metres of the entrance.

If voters complain about your presence, refer the complaint to the Voting Place Manager or electoral official in charge.

**Use of technology**

Scrutineers may use electronic devices, such as laptops or tablets, but only on the strict conditions that:

- the device is only used to record name, page and line numbers
- devices are not placed on the Issuing Officer’s table
- no comments are made on social media, and videos and cameras are not used.

You are not allowed to engage in any activity on these devices which would compromise the secrecy and integrity of the voting place.

**Photography in voting places**

Photography or filming is only allowed in a voting place with the prior approval of the Returning Officer.

**Conduct of scrutineers at voting places**

Inside the voting place, the following rules applies to scrutineers:

- No communicating with any voter. This includes talking to or greeting family, friends or acquaintances in the voting place. The Electoral Act makes it an offence for scrutineers to talk to voters in the voting place.
• No touching voting materials including voting papers or EasyVote cards at any point.

• No interfering with an elector at the voting place. It is also an offence to try and influence the elector’s vote or to advise the elector on his or her vote.

• No blogging, tweeting or otherwise communicating via social media about what is happening in a voting place.

You are entitled to write down the voter’s details called out by the Issuing Officer. If you miss the details, you can ask the Issuing Officer politely for the information to be repeated or watch closely as the Issuing Officer marks the voter off the roll. If you need to talk to the Issuing Officer about not being able to hear, please wait for a gap between voters.

You may also call the information on who has voted through to your party’s officials. Please adjourn outside to make phone calls.

Campaign team members (but not the candidate) may enter the voting place to receive lists or marked up copies of the roll produced by their scrutineers. If you have matters that require a lot of discussion you should adjourn outside.

The Voting Place Manager is required to maintain order and keep the peace in the voting place. Causing a disturbance, unnecessarily obstructing proceedings at the voting place or wilfully acting in defiance of the lawful directions of the Voting Place Manager are all offences under the Act.

If the Voting Place Manager has concerns about the behaviour of a scrutineer he or she may seek the advice of a Mobile Manager or the Returning Officer. If the matter cannot be resolved and is becoming a disturbance or obstructing the voting process, the Returning Officer will ask the candidate to withdraw the appointment of the scrutineer.

Your campaign team may bring you refreshments. Hot drinks and food should not be consumed while sitting behind the Issuing Officer. Depending on the premises, kitchen and toilet facilities may be available for use by the scrutineers.

Activity around voting places

On election day there is a ban on electioneering activity. Voters must not be obstructed approaching the voting place. During advance voting, election material must not be displayed or distributed within 10 metres of the entrance to the advance voting place.

Raising concerns at the voting place

If you have any concerns about anything you observe in the voting place, you should raise the matter with the Voting Place Manager. Do not raise concerns directly with other electoral staff in the voting place (other than asking an Issuing
Officer to question a voter if he or she has voted more than once - see below).

Raise your concerns discreetly and recognise that the Voting Place Manager may have a range of pressing matters that he or she is attending to at the same time. The Voting Place Manager may seek advice from a Mobile Manager or the Returning Officer before coming to a view. If you are not satisfied with the decision that has been made, you may want to consider raising the matter with your party or campaign manager who may discuss it with the Returning Officer or the National Office of the Electoral Commission.

It is really important that ongoing debate does not disrupt the voting place and that you do not directly intervene in the voting or counting process.

**Questioning a voter who may have voted more than once**

If you think a voter has voted more than once you can ask the Issuing Officer to question the voter. The questions the Issuing Officer must put to the voter are:

a) Are you the person whose name appears as A.B. in the electoral roll now in force for the (name of district) Electoral District?

b) Have you already voted at this election?

The voter is asked to write their answers to the questions and sign the form.

If a voter states they have already voted, they are advised they are not able to vote again at this election.

If the voter states they have not already voted they will be issued with a ballot paper.

**Voters requiring assistance**

There have been some incidents of scrutineers challenging assisted voting at elections based on misunderstandings of the rules, in particular the misapprehension that only persons with a physical disability can be assisted.

Any elector that is wholly or partially blind, unable to read or write for whatever reason, or not sufficiently familiar with the English language to vote without assistance is entitled to be assisted by either a person that they choose (such as a friend or family member) or an electoral official. It is not appropriate for a scrutineer to assist a voter.

It is not appropriate for a scrutineer to challenge a voter's eligibility to vote with assistance. If you have concerns raise them with the Voting Place Manager.

**Early count of advance votes**

Advance votes (other than advance special votes) may be counted any time after 9am on election day at the Returning Officer’s headquarters if the Returning Officer can provide an appropriate secure area for the count. The start time may vary between electorates.
The Returning Officer will advise candidates of the start time for the electorate.

If you are appointed to observe the early count of advance votes you should arrive at the Returning Officer’s headquarters 30 minutes before the count starts.

You will not be able to leave the secure area before 7pm without the Returning Officer’s permission.

The count is completed under strict security. At least one uniformed security guard will be required at the early count. Scrutineers are not allowed to take phones, laptops or other communication devices into the early count. It is an offence to disclose the results of the early count before the close of voting at 7pm.

You should not intervene or become involved in the counting process. If you have any concerns you should raise them with the Returning Officer or Team Leader responsible for the early count.

**Preliminary count**

If you are appointed as an election day scrutineer you may also observe the preliminary count at the voting place provided you are inside the voting place before the close of voting at 7pm.

Any scrutineer not within the voting place when the doors are locked at 7pm will not be admitted. You can leave before the count finishes, but you will not be readmitted if you do.

You should not intervene or become involved in the counting process.

If you have concerns, you need to raise them with the Voting Place Manager.

As voting has closed you may phone results back to your campaign headquarters from the voting place.

**Scrutiny of the rolls**

Scrutineers may be appointed to observe the scrutiny of the rolls process. Electoral rolls are scanned and scrutinised and the names of special voters are compiled into a list of all people who have voted in the electorate (the master roll). The master roll also includes the names of people who enrolled in the electorate between writ day and election day, as well as listing those electors who have been removed from the roll between writ day and election day. The master roll is also used to identify any dual voters whose votes are extracted.

**Checking special vote declarations**

You may be appointed to attend the office of the Registrar of Electors to observe the checking of special vote declarations against the electoral rolls in cases where a voter’s name cannot be found during the scrutiny of the rolls process. If the Registrar can confirm that the voter is qualified to vote, the vote will be counted.
Official count
If you have been appointed as a scrutineer to observe the scrutiny of the rolls, you may also be present at the official count (and at a judicial recount of electorate votes).

During the official count all votes counted on election night are recounted and checked to ensure accuracy.

A Justice of the Peace must be present at the official count in addition to electoral officials conducting the count and any scrutineers who attend to observe the process.

You can provide updates to your campaign team but we request that public statements about the results are not made ahead of the declaration of the official results.

Judicial recounts
After the declaration of the official results electorate candidates can apply to a District Court Judge for a recount of the electorate vote. The location of a recount is determined by the District Judge. If you were appointed to observe the official count for an election you will be eligible to observe the judicial recount.

We request public statements about the results of a recount are not made before the District Judge’s decision is released.

Election of list candidates
The Electoral Commission determines which list candidates are elected using a statutory formula after the official results, and the results of any electorate recounts, have been declared (this will be Thursday 12 October 2017, if there are no recounts). Prior to the allocation of list seats the Electoral Commission will contact the party secretaries of political parties that have contested the party vote to invite them to appoint scrutineers to attend the allocation.
Appointment of Scrutineer form

I, ____________________________________________ (insert name),

(tick and complete as applicable)

☐ an electorate candidate for the ________________________ district
   at the 2017 general election, or

☐ party secretary for the ________________________ Party

hereby appoint the following scrutineer

(insert name) ____________________________________________

To be completed by a candidate

for the following purposes (tick and complete as applicable):

☐ The issuing of votes and the preliminary count at ____________ voting place (s)

☐ The issuing of votes at ________________________ advance voting place (s)
   The number of scrutineers for a candidate who may be present may not exceed the number of issuing officers
designated for the voting place or advance voting place.

☐ The count of advance votes on election day in the Returning Officer's headquarters.
   Only one can be appointed.

☐ The scrutiny of the rolls and the official count.
   For the scrutiny, one or more scrutineers can be appointed but only one scrutineer for each candidate is
   allowed to be present at any one time unless permitted by the Returning Officer.

☐ To be present at the office of the Registrar of Electors when he or she is performing his or her
   functions in relation to special vote declarations.
   One or more scrutineers can be appointed but only one scrutineer is allowed to be present at any one time.

☐ A judicial recount of electorate votes.
   Constituency candidates affected by an application for a judicial recount may appoint one scrutineer to be
   present at the recount. The Judge can permit more.

To be completed by a party secretary

for the following purposes (tick and complete as applicable):

☐ The issuing of votes and the preliminary count at ____________ voting place (s)

☐ The issuing of votes at ________________________ advance voting place (s)
   The party secretary is only able to appoint a scrutineer to voting places or advance voting places if no electorate
candidate is standing for your party in that electorate. The number of scrutineers for a party that may be present at
any one time may not exceed the number of issuing officers designated for the voting place or advance voting place.

☐ A judicial recount of electorate votes.
   Only one scrutineer per political party may be present unless the Judge permits more.

☐ The allocation of party list seats by the Electoral Commission
   Only one scrutineer per political party unless the Electoral Commission allows more.

Candidate/party secretary signature ____________________________ Date ____________________________
I, ________________________________

(Full name)

______________________________

(Full address)

______________________________

(Occupation)

solemnly and sincerely declare that I will well and truly serve in the office of scrutineer for a candidate or political party at the poll in the ________________ electorate,

and that I will not do anything forbidden by section 203 of the Electoral Act 1993.

______________________________

Signature of scrutineer

Declared at ________________________________ this _____ of _____________ 2017

before me.

______________________________

Name of Witness

______________________________

Signature of Witness

Tick one

[ ] Electoral official  [ ] Justice of the Peace  [ ] Solicitor

An electoral official means any person that the Electoral Commission employs or engages for the purpose of assisting with the performance of its functions.
Section 203 of the Electoral Act 1993
must be read by or to the person making the declaration:

(1) Every electoral official, polling place official, scrutineer, or other person appointed for
the purposes of this Act shall use or disclose information acquired by him or her in that
capacity only in accordance with his or her official duty or his or her duty as a scrutineer,
as the case may require.

(2) No person, except for some purpose authorised by law, shall -

   (a) Interfere with or attempt to interfere with a voter when marking his or her vote:

   (b) Attempt to obtain in a polling place information as to the candidate for whom or
the party for which any voter in the polling place is about to vote or has voted:

   (c) Communicate at any time to any person any information obtained in a polling
place as to the candidate for whom or the party for which any voter at the polling
place is about to vote or has voted, or as to the consecutive number on the ballot
paper given to any voter at the polling place.

(3) Every person in attendance at the counting of the votes shall maintain and aid in
maintaining the secrecy of the voting, and shall not communicate any information
obtained at the counting as to the candidate for whom or the party for which any vote is
given in any particular ballot paper.

(4) No person shall directly or indirectly induce any voter to display his or her ballot paper
… after he or she has marked it, so as to make known to any person the name of any
candidate for or against whom he or she has voted or the name of the party for which
he or she has voted.