

Extraordinary Vacancy for Mornington Peninsula Shire Council, Seawinds Ward

in accordance with the *Local Government Act 2020 (the LGA2020)*

TIMETABLE FOR COUNTBACK

Monday 19 December 2022	Date extraordinary vacancy occurs is the date the Council CEO receives written resignation or becomes aware of the extraordinary vacancy. (s.258 (1) to (5) of the <i>LGA 2020</i>)
Not later than Thursday 22 December 2022 VEC advised Tuesday 20 December 2022	The Council CEO must within 3 working days — of receiving a written resignation or becoming aware of the extraordinary vacancy — notify the Minister and VEC (s.258 (8) (a) and (b) of the <i>LGA 2020</i>)
Within 14 days of extraordinary vacancy occur	Publish a notice of the countback on the VEC's Internet site. The notice must specify the date, time and place for conduct of the countback, that eligible candidates are entitled to appoint scrutineers and the contact details of the election manager. (s.281 (2)(a) (3) and (4) of the <i>LGA 2020</i>)
No later than Monday 2 January 2023	If requested by Council publish a notice of the countback in a newspaper generally circulating in the municipal district. <ul style="list-style-type: none">➤ No advertising in newspapers requested
Within 14 days of extraordinary vacancy occur No later than Monday 2 January 2023	Election Manager gives written notice of the countback to each eligible candidate at their last known address. (s. 281 (2) (b) of the <i>LGA 2020</i>).
Prior to Countback Day	The Election Manager excludes from participation in the countback any candidate who the election manager knows has died or has otherwise ceased to be qualified to be a Councillor before the conduct of the countback procedure has commenced (s 277 (1) of the <i>LGA 2020</i>)
10 am Monday 30th January 2023	Countback conducted at least 14 days after publication of the public notice (s 281 (4) of the <i>LGA 2020</i>) <ul style="list-style-type: none">• online, using Microsoft Teams
Within 48hrs from the time of conducting the countback	Election Manager notifies successful candidate and invites the candidate to complete a written declaration within 48 hours that they are still qualified to be a Councillor (s 282 (1) of the <i>LGA 2020</i>) If the candidate does not complete the written declaration within 48 hours, and there is more than one candidate remaining a further count is to be conducted as soon as practicable after the 48 hours has expired. (s 282 (3) of the <i>LGA 2020</i>)
As soon as possible after receipt of written declaration	Election Manager publicly declares candidate elected (s 284 (1) of the <i>LGA 2020</i>)

-
- As soon as practicable after public declaration
1. Election Manager must give public notice (s.284(2)(a) of the LGA 2020) of person elected published on website **and if requested** by Council in a nominated newspaper(s); **and**
 2. Minister advised of the countback result (s 284 (2)(b) of the LGA 2020)
-