

## Information sheet

# How-to-Vote Cards

This information sheet provides a summary of key legal requirements that apply to the publication, lodgement, and distribution of how-to-vote cards (HTVCs) during state elections. It is intended to help election participants understand their obligations in clear, accessible language.

**Disclaimer:** This information sheet is for general guidance only. It does not replace or override the *Electoral Act 1985* (the Act). If you are unsure how the law applies to your circumstances, you should seek independent legal advice.



How-to-vote cards guide voters on how to allocate their preferences. They cannot be published or distributed at polling places unless they are registered with the Electoral Commission of South Australia (ECSA).

### Definition of a how-to-vote card

Under section 4 of the Act, a HTVC is defined as:

'A card, in the form of a ballot paper, indicating the manner in which a vote should be recorded by a voter'.

Any HTVC distributed during the election period (from the issue of the writ until 6 pm on polling day) must:

- Contain a compliant authorisation
- Not mislead voters
- Not induce an informal vote

### HTVCs at polling places

Section 66 regulates HTVCs submitted to the Electoral Commissioner for:

- Display in polling places on polling day
- Inclusion in booklets for early voting centres, remote mobile polling, and declared institutions

A candidate may submit a HTVC for use at all in-person voting services.

No person may distribute or display a HTVC at a polling place unless it is **substantially the same** as the version lodged with the Electoral Commissioner.

### Lodgement rules for section 66 cards

HTVCs for polling places or early voting centres must be lodged:

- No later than 4 days after the day of nomination

**Deadline for 2026 election:** 5 pm, Friday 6 March

Two types of lodgements are required:

- **Display cards** – for inclusion at polling places and early voting centres
- **Distribution cards** – for anyone intending to hand out cards during the election period

### Mandatory content for section 112A cards (Regulation 20)

Every lodged HTVC must contain:

- 'How-to-vote' (exact words)
- Candidate name (or all candidates in a group)
- Authorisation details
- District name
- Voting instructions, shown as either:
  - ° Numbered squares indicating the recommended preference order, or
  - ° **If identical to a section 66 voting ticket:** a '1' in a square before the candidate's surname, and a statement that voters must express preferences for all other candidates



HTVCs may be lodged electronically.

## Font size requirements (Regulation 20)

Minimum font size for the party name, abbreviation, or independent candidate's name and the word 'candidate':

- **A6 size or smaller:** Arial 10 pt minimum
- **Larger than A6 but smaller than A3:** Arial 14 pt minimum
- **Larger than A3:** Arial 20 pt minimum

Card size is based on area, not shape.

## Appearance consistency

All distributed versions must be substantially the same.

Acceptable differences include:

- Size
- Shape
- Font
- Medium
- Preference indication method

Not acceptable:

- Promoting a different first-preference candidate without written notice at least 8 days prior

## Why register a how-to-vote card?

Registration ensures voters are not misled or deceived at polling places.

Publishing or distributing an unregistered HTVC at a polling place is an offence, including:

- Distributing a card not lodged with ECSA
- Distributing a card that differs substantially from the lodged version

## What counts as distribution?

A person distributes a HTVC if they make it available for people to take away.

A HTVC is not considered distributed if it is only displayed.

Examples of distribution:

- Handing out printed cards at polling places or elsewhere
- Leaving stacks of cards in public locations
- Including HTVCs in mail-outs
- Electronic sharing, including:
  - Uploading to websites
  - Posting on social media
  - Emailing or messaging

For electronic distribution, authorisation must be immediately accessible (e.g., in a social media 'About' section).

Only HTVCs intended for distribution during the election period are subject to authorisation and lodgement deadlines.

## Offences and penalties

Distributing a non-compliant HTVC may result in:

- A fine of up to \$5,000
- A direction from the Electoral Commissioner to:
  - Cease distribution
  - Publish a formal retraction

Cards must not contain false or misleading statements of fact.

Misleading advertising is an offence under section 113 of the Act.

## Compliance

Election staff may:

- Require a person to produce a HTVC for inspection
- Confiscate cards not accepted by ECSA

Publishing or distributing material without proper authorisation, or likely to mislead voters about voting methods, is an offence.



## Complaints

- Election campaign workers may lodge complaints with the presiding officer if they observe unregistered HTVCs being distributed or published
- Complaints should include a copy or photo of the HTVC
- Matters may be escalated to the returning officer if required
- The accountable person for a HTVC may be contacted regarding complaints

## Further information

- This information sheet mainly refers to Part 13, Division 2 of the *Electoral Act 1985* (SA)
- The Act is available in full at: [legislation.sa.gov.au](http://legislation.sa.gov.au)
- For additional guidance and HTVC lodgement checklists, refer to:
  - [House of Assembly Candidate Guide \(RO 16\)](#)
  - [Legislative Council Candidate Guide \(RO 17\)](#)