



Electoral Commissioner

Our Ref: 17/709

Ms Julia Agostino
Committee Secretary
Joint Standing Committee on Electoral Matters
Parliament House
CANBERRA ACT 2614

Dear Ms Agostino

Joint Standing Committee on Electoral Matters Inquiry into matters relating to Section 44 of the Constitution – Questions on Notice

Thank you for the opportunity to meet with the Committee on 8 December. Please find attached responses to Questions on Notice raised during the Committee's discussion.

I look forward to assisting the Committee in its future deliberations.

Yours sincerely

Tom Rogers

20 December 2017

Attachment A

**Response to Questions on Notice from the public hearing in
Canberra 8 December 2017**

1. Mr Giles asked when the declaration on the nomination form was amended. [Proof Hansard page 2]

AEC response

The last legislative change to the declaration on the nomination form was made by the *Commonwealth Electoral Amendment Act 1987*, section 19.

2. Mr Giles and Senator Rhiannon asked how many candidates attended candidate briefings and whether candidates could participate in briefings via Skype. [Proof Hansard page 4]

AEC response

The AEC routinely holds briefings for political parties and candidates prior to electoral events. Briefings are held at national, state and division (local) levels. Invitations are sent to registered political parties and briefings are advertised in a range of places. Ultimately it is a decision for parties and candidates whether they attend briefings.

National level briefings

After the announcement of an election, all senior staff of nationally registered political parties are generally invited to attend a briefing session held by the Electoral Commissioner in Canberra. The briefings cover election specific information including nominations, political authorisation requirements, and any new procedures and processes such as Senate scanning of ballot papers, and changes to processes for scrutineers. Representatives of the nationally registered political parties attended these sessions for the 2016 federal election. Thirteen invitations were sent to nationally registered political parties, seven representatives attended and two, who were unable to attend the national sessions, attended state briefings instead.

State level briefings

For the 2016 federal election, the AEC conducted briefing sessions in all states and territories for candidates and state registered political parties. Briefings were held in all capital cities. Information provided at these sessions was aligned with the information provided at the National Office briefings.

Divisional level briefings

Divisional Returning Officers conducted briefing sessions for House of Representative candidates following the declaration of nominations for the 2016 federal election. Candidates and/or representatives were invited to briefings where they were provided with a candidate's kit which contained the Candidate Handbook

and other election relevant AEC information resources. Candidates who did not attend were sent their materials by post.

Briefings attendance summary

State/Territory	State/territory level Election briefings (political parties and candidates)	Divisional level Election briefings (candidates)
New South Wales (including ACT)	Approx. 24 attendees	188 attendees
Victoria	Approx. 40 attendees	Approx. 111 attendees
Queensland	Approx. 50 attendees	Approx. 65 attendees
West Australia	Six attendees	Approx. 20 attendees
South Australia	15 to 20 attendees	Approx. seven attendees
Tasmania	Approx. 15 attendees	Approx. 10 attendees
Northern Territory	Approx. four attendees	

Note: Divisional level election briefings were conducted for each division; the divisional figures in the table are a total for each state and territory.

Skype

The AEC did not use Skype at the 2016 federal election. Options for candidates to participate in briefings remotely, including via video or teleconferencing, can be explored for the next federal electoral event.

3. Mr Morton asked the AEC to update the committee on the status of GetUp! as a third party or an associated entity. [Proof Hansard page 9]

AEC response

The AEC's consideration of GetUp!'s status remains under review. In line with standard practice, the AEC does not comment on these matters.

4. The Chair asked if the proposed self-assessment checklist tool could link to a DFAT source, or a single portal, for information about citizenship renunciation. [Proof Hansard page 9]

AEC response

As outlined in the Commissioner's opening statement, it may be possible for the AEC to develop a comprehensive online self-assessment tool or checklist to assist potential candidates to determine whether they should make relevant inquiries to clarify their qualification under section 44 of the Constitution. The checklist would

need to be developed in cooperation with relevant Commonwealth agencies, noting that the AEC does not have expertise in these matters.

In developing such a tool, the AEC would need to investigate the possibility or feasibility of linking to information provided by other federal government agencies such as the Attorney-General's Department and the Department of Foreign Affairs and Trade. It may also be possible to provide links to citizenship checking facilities provided by foreign governments, for example, in the United Kingdom, New Zealand and Ireland.

We would anticipate that the online self-assessment checklist would be available on the AEC website for potential candidates to use at any time, not just in the lead up to an election. This would allow potential candidates to make relevant inquiries and, if necessary, take remedial action to ensure that they are not disqualified by the operation of section 44 of the Constitution prior to lodging a candidate nomination with the AEC during an election period. It is important to note that the AEC is not currently funded to develop this online facility.

4

11

12.500 13.000 13.500 14.000 14.500 15.000 15.500 16.000 16.500 17.000 17.500 18.000 18.500 19.000 19.500 20.000 20.500 21.000 21.500 22.000 22.500 23.000 23.500 24.000 24.500 25.000 25.500 26.000 26.500 27.000 27.500 28.000 28.500 29.000 29.500 30.000 30.500 31.000 31.500 32.000 32.500 33.000 33.500 34.000 34.500 35.000 35.500 36.000 36.500 37.000 37.500 38.000 38.500 39.000 39.500 40.000 40.500 41.000 41.500 42.000 42.500 43.000 43.500 44.000 44.500 45.000 45.500 46.000 46.500 47.000 47.500 48.000 48.500 49.000 49.500 50.000 50.500 51.000 51.500 52.000 52.500 53.000 53.500 54.000 54.500 55.000 55.500 56.000 56.500 57.000 57.500 58.000 58.500 59.000 59.500 60.000 60.500 61.000 61.500 62.000 62.500 63.000 63.500 64.000 64.500 65.000 65.500 66.000 66.500 67.000 67.500 68.000 68.500 69.000 69.500 70.000 70.500 71.000 71.500 72.000 72.500 73.000 73.500 74.000 74.500 75.000 75.500 76.000 76.500 77.000 77.500 78.000 78.500 79.000 79.500 80.000 80.500 81.000 81.500 82.000 82.500 83.000 83.500 84.000 84.500 85.000 85.500 86.000 86.500 87.000 87.500 88.000 88.500 89.000 89.500 90.000 90.500 91.000 91.500 92.000 92.500 93.000 93.500 94.000 94.500 95.000 95.500 96.000 96.500 97.000 97.500 98.000 98.500 99.000 99.500 100.000

4

11

12.500 13.000 13.500 14.000 14.500 15.000 15.500 16.000 16.500 17.000 17.500 18.000 18.500 19.000 19.500 20.000 20.500 21.000 21.500 22.000 22.500 23.000 23.500 24.000 24.500 25.000 25.500 26.000 26.500 27.000 27.500 28.000 28.500 29.000 29.500 30.000 30.500 31.000 31.500 32.000 32.500 33.000 33.500 34.000 34.500 35.000 35.500 36.000 36.500 37.000 37.500 38.000 38.500 39.000 39.500 40.000 40.500 41.000 41.500 42.000 42.500 43.000 43.500 44.000 44.500 45.000 45.500 46.000 46.500 47.000 47.500 48.000 48.500 49.000 49.500 50.000 50.500 51.000 51.500 52.000 52.500 53.000 53.500 54.000 54.500 55.000 55.500 56.000 56.500 57.000 57.500 58.000 58.500 59.000 59.500 60.000 60.500 61.000 61.500 62.000 62.500 63.000 63.500 64.000 64.500 65.000 65.500 66.000 66.500 67.000 67.500 68.000 68.500 69.000 69.500 70.000 70.500 71.000 71.500 72.000 72.500 73.000 73.500 74.000 74.500 75.000 75.500 76.000 76.500 77.000 77.500 78.000 78.500 79.000 79.500 80.000 80.500 81.000 81.500 82.000 82.500 83.000 83.500 84.000 84.500 85.000 85.500 86.000 86.500 87.000 87.500 88.000 88.500 89.000 89.500 90.000 90.500 91.000 91.500 92.000 92.500 93.000 93.500 94.000 94.500 95.000 95.500 96.000 96.500 97.000 97.500 98.000 98.500 99.000 99.500 100.000