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JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

Inquiry into and report on all aspects of the conduct of the 2016 Federal Election and matters related thereto

Issue date: 9 December 2016

Electoral Matters Committee tables Interim Report on the 2016 Federal Election

The Joint Standing Committee on Electoral Matters today tabled the first Interim Report on the 2016 Federal Election.

Senator Linda Reynolds, Committee Chair, said the Committee had worked cooperatively to deliver a non-partisan report on the subject of authorisations for electoral material.

Authorisations are the statements that identify the person or organisation responsible for the advertisement or electoral material.

“Since the enactment of the first *Commonwealth Electoral Act* in 1902, it has been an illegal practice to ‘publish any publication of any electoral advertisement or handbill’ without authorisation (s180).

Authorisation was recognised then, as it is today, as one the most important checks and balances contained in our electoral legislation, to ensure integrity and accountability for campaigning in our democracy”, Senator Reynolds said.

“The committee found that this requirement for authorisation should remain, however, our electoral laws have not kept pace with technological change and the new ways of communicating with voters that this provides, thereby creating loopholes capable of exploitation. Consequently, authorisation requirements for the same political messages are not consistent across all formats and mediums of communication.”

“Three core principles – accountability, traceability and consistency – have underpinned the committee’s deliberations and the report’s six recommendations. These principles combine to reassure voters that those disseminating electoral material into the public domain are traceable, accountable and provide clear context for voters when considering the messages they contain.”

The committee report makes the following 6 recommendations:

Recommendation 1

The Committee recommends that the Act is amended to specifically and explicitly address the matter of authorisation of electoral materials to ensure that:

- parties and other participants should be held to account and be responsible for their political statements;
- those who authorise electoral materials should be identifiable and traceable for enforcement and other purposes; and
- there is consistency in the application of the rules and requirements to all electoral material.



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Recommendation 2

The Committee recommends that the *Commonwealth Electoral Act 1918* be amended to include a separate part/division addressing authorisations, and that the requirements should be clear, concise and easy to navigate.

Recommendation 3

The Committee recommends that an objects clause is included into the *Commonwealth Electoral Act 1918* to complement and strengthen existing legislation.

Recommendation 4

The Joint Standing Committee on Electoral Matters conduct further inquiry and make recommendations in early 2017 regarding the issues of impersonating a Commonwealth officer and Commonwealth entity.

Recommendation 5

The Committee recommends that the government ensures consistency between all other relevant legislation and the *Commonwealth Electoral Act 1918* in relation to authorisation of electoral advertising.

Recommendation 6

The Committee recommends that authorisation requirements in line with the principles of accountability, traceability and consistency should, as far as reasonably possible, not interfere with the purpose of the communication, which is to communicate with electors.

During the course of this inquiry, the committee received evidence on the issue of impersonating a Commonwealth entity that arose in the 2016 election. The committee will be conducting further inquiries into this matter early in 2017 and will report further.

The committee's next interim report – focussing on foreign political donations – is due to be tabled in March 2017 with further reports to be tabled over the course of 2017.

Media enquiries:

Media Contact: Mr Jordan Qian on 02 6277 3296 and 0416 862 521 or Jordan.Qian@aph.gov.au

For background:

JOINT STANDING COMMITTEE ON ELECTORAL MATTERS: (02) 6277 2374 and em@aph.gov.au.

More detailed programs for the hearings, including witnesses, are available from [the Committee website](#) [Track this inquiry](#)