

**Electoral Commissioner**

Mr Kai Swoboda
Inquiry Secretary
Joint Standing Committee on Electoral Matters
Parliament House
CANBERRA ACT 2600

Dear Mr Swoboda

**Inquiry by the Joint Standing Committee on Electoral Matters (JSCEM)
into the 2007 Federal Election.**

The Australian Electoral Commission's (AEC) Submission to the Inquiry is enclosed. This Submission discusses, among other things; close of roll provisions, strategies to lift enrolment, proof of identity for enrolment and provisional voting, the continuing increase in declaration voting, postal voting, ordinary pre-poll voting in the home division, electronic interaction with the electoral system, and legal issues arising from the 2007 election.

On 12 March 2008 the Senate referred certain matters relating to funding and disclosure to the JSCEM for inquiry and report. The AEC's observations in relation to those matters are set out at Attachment A.

Yours sincerely



Ian Campbell

20 June 2008

Attachment A

On 12 March 2008, the Senate agreed to the following resolution:

1. *That the following matters be referred to the Joint Standing Committee on Electoral Matters for inquiry and report:*

All aspects of the 2007 Federal election and matters related thereto, with particular reference to:

- a. the level of donations, income and expenditure received by political parties, associated entities and third parties at recent local, state and federal elections;*
 - b. the extent to which political fundraising and expenditure by third parties is conducted in concert with registered political parties;*
 - c. the take up, by whom and by what groups, of current provisions for tax deductibility for political donations as well as other groups with tax deductibility that involve themselves in the political process without disclosing that tax deductible funds are being used;*
 - d. the provisions of the Act that relate to disclosure and the activities of associated entities, and third parties not covered by the disclosure provisions;*
 - e. the appropriateness of current levels of public funding provided for political parties and candidates contesting federal elections;*
 - f. the availability and efficacy of 'free time' provided to political parties in relation to federal elections in print and electronic media at local, state and national levels;*
 - g. the public funding of candidates whose eligibility is questionable before, during and after an election with the view to ensuring public confidence in the public funding system;*
 - h. the relationship between public funding and campaign expenditure; and*
 - i. the harmonisation of state and federal laws that relate to political donations, gifts and expenditure.*
2. *That in conducting the review the committee undertake hearings in all capital cities and major regional centres and call for submissions.*

The AEC has not included any submissions on the matters covered by items 1(a) to (i) of the above resolution for the following reasons.

Item 1(a) refers to donations to local and state elections. Such matters are not covered by the *Commonwealth Electoral Act 1918* (Electoral Act). The Electoral Act does not cover any donations made that relate to candidates in elections other than federal elections. This position is made clear by the requirements of subsection 304(5) which exclude from the existing disclosure regime gifts made to a candidate that are not used "solely or substantially" for the purposes of a federal election. Further, the annual disclosure of

expenditure in Part XX of the Electoral Act is on an annual financial year basis and not an election basis. The information and returns for the period that included the November 2007 election will therefore only arise for the period ending on 30 June 2008 for the 2007/08 financial year. The time period for the disclosure to the AEC of income and expenditure by registered political parties for the 2007/08 financial year does not arise for 16 weeks after the end of the financial year (see subsection 314AB(1)). The time period for the disclosure to the AEC of expenditure incurred by associated entities for the 2007/08 financial year does not arise for 16 weeks after the end of the financial year (see subsection 314AEA(1)). The time period for the disclosure to the AEC of expenditure incurred by third parties for the 2007/08 financial year does not arise for 20 weeks after the end of the financial year (see subsection 314AEB(3)). The AEC also notes that the candidates' returns for the November 2007 election have been received in accordance with section 309 of the Electoral Act (15 weeks after polling day – see subsections 309(2) and (3)). However, subsection 309(1) specifically excludes from these election returns electoral expenditure incurred during the election period by registered political parties.

Accordingly, as none of the above time periods for the lodging of returns by the above entities and persons have elapsed, the AEC has no returns or information in its possession on donations, income and expenditure for registered political parties that relate to the November 2007 election.

Item 1(b) refers to third parties and the incurring of expenditure. Again because the disclosure period in subsection 314AEB(3) of the Electoral Act has not expired, the AEC has no information in its possession that would enable it to respond to the Committee.

Item 1(c) refers to the tax deductability of donations. The laws relating to income tax are not administered by the AEC. Accordingly, the AEC is unable to provide any input or comments on this issue.

Item 1(d) the AEC is not clear about the scope of this item and what other activities of associated entities and third parties are within the purview of the Committee. The AEC notes that the present provisions contained in sections 314 AEA and 314AEB directly link the disclosure regime to federal elections and thereby ensures that such provisions fall within the Commonwealth's constitutional powers. The expenditure that relates to activities that can reasonably be connected with a federal election are currently covered by these provisions.

Item 1(e) refers to election funding payable under section 299 of the Electoral Act. The current levels of election funding have been set by section 294 and indexed by section 321 of the Electoral Act since 1995. The original policy behind election funding was set out in the second reading speech of the then Special Minister of State for the *Commonwealth Electoral Legislation Amendment Bill 1983* (see House of Representative Hansard 2 November 1983 page 2215). That policy had several aspects including creating a equal opportunity for all parties and candidates to present their policies to the

electorate and to decrease the dependence on private donations with the associated risks of possible corruption. Given the increasing reliance that all candidates and political parties have placed on the receipt of private donations (despite the availability of election funding), it is not clear to the AEC what, if any, changes to the level of that funding would be “appropriate” and what, if any, level of public funding would be necessary to achieve the above policy outcomes.

Item 1(f) refers to the availability of “free time” on media outlets. This issue appears to have been dealt with in 1992 by the High Court in the case of *Australian Capital Television Pty Ltd v Commonwealth* (1992) 177 CLR 106. In this case the High Court held that those provisions of the *Political Broadcasts and Political Disclosures Act 1991* that provided for free air time were in breach of the *Constitution*. In particular, the Court found that those provisions dealing with free air time amounted to the acquisition of property otherwise than on just terms.

Item 1(g) refers to unqualified candidates (see section 44 of the *Constitution*) candidates who might have stood for an election and the entitlement to be paid election funding. The AEC repeats that it has received external legal advice that confirms that there is no power for the AEC to take any action to recover election funding where a person was accepted as a candidate under the *Commonwealth Electoral Act 1918*. The reason for this is that there is no legal basis to consider that a “candidate” for the purposes of the payment of election funding is only a candidate if they are legally capable of being elected. The fact that as a result of a challenge, an election may be declared “absolutely void” is not the same as saying that an election did not take place for any purpose or that the unqualified person was not a candidate. Support for this view comes from the High Court decision in *Sykes v Clearly* (1992) 176 CLR 77.

Item 1(h) refers to the relationship between election funding and campaign expenditure relating to the November 2007 election. As indicated above, the AEC is yet to receive the returns from the registered political parties under section 314AC and therefore has no information in its possession on this matter.

Item 1(i) refers to harmonisation of State and federal laws that relate to political donations, gifts and expenditure. Such a harmonisation of laws is strongly supported by the AEC to both remove any loopholes in the current reporting regimes and to create some consistency in the reporting obligations that are placed on the key players in the political process.

AUSTRALIAN ELECTORAL COMMISSION

**SUBMISSION TO THE INQUIRY BY THE JOINT
STANDING COMMITTEE ON ELECTORAL MATTERS
INTO THE 2007 FEDERAL ELECTION**

20 June 2008

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LIST OF ABBREVIATIONS

ABC	Australian Broadcasting Corporation
ABS	Australian Bureau of Statistics
ACMA	Australian Communications and Media Authority
ADF	Australian Defence Force
AEC	Australian Electoral Commission
AFP	Australian Federal Police
AGEST	Australian Government Employees Superannuation Trust
AGIMO	Australian Government Information Management Office
AGOSP	Australian Government Online Service Point
ALP	Australian Labor Party
AO	Area of Operation
APVIS	Automated Postal Vote Issuing System
ATO	Australian Taxation Office
CALD	Culturally and Linguistically Diverse
CEA	<i>Commonwealth Electoral Act 1918</i>
CEIO	Community Education and Information Officer
CDPP	Commonwealth Director of Public Prosecutions
CRU	Continuous Roll Update
CPI	Consumer Price Index
DFAT	Department of Foreign Affairs and Trade
DRN	Defence Restricted Network
DRO	Divisional Returning Officer
EPIC	Exhibition Park in Canberra
ETP	Eligible Termination Payment
EVM	Electronic Voting Machine
FAD	Funding and Disclosure
FTR Act	<i>Financial Transaction Reports Act 1988</i>
GPV	General Postal Voter
GST	Goods and Services Tax
IVR	Interactive Voice Recognition
JSCEM	Joint Standing Committee on Electoral Matters
MOU	Memorandum of Understanding
NACARAS	Northern and Central Australia Remote Area Strategy
NAC	Non Attendance Card
NTR	National Tally Room
OCR	Optical Character Recognition
PB Act	<i>Superannuation (Productivity Benefits) Act 1988</i>
PDA	Personal Digital Assistant
PIN	Personal Identification Number
POI	Proof of Identity
PVA	Postal Vote Application
PVC	Postal Vote Certificate
PVP	Postal Vote Package
SBS	Special Broadcasting Service
SMS	Short Message Service
SG Act	<i>Superannuation Guarantee (Administration) Act 1992</i>
VTR	Virtual Tally Room

1. INTRODUCTION

1.1 On 27 February 2008, the Special Minister of State requested the Joint Standing Committee on Electoral Matters (JSCEM) to inquire into and report on the conduct of the 2007 Election and matters related thereto. On 20 March 2008, the Chairman of the JSCEM wrote to the Electoral Commissioner inviting the Australian Electoral Commission (AEC) to make a submission to the inquiry. This submission is provided in response to that invitation.

1.2 Recent comparable inquiries have seen the AEC make a number of submissions, with an initial document typically being followed up by further contributions dealing with specific issues raised by the JSCEM, or arising from other submissions, including those lodged by members of the public or other participants in the electoral process. The AEC intends to follow that practice for this inquiry.

1.3 The body of this submission is divided into separate parts, under the following headings.

Part 2 Enrolment

Part 3 Communication strategies

Part 4 Polling and counting

Part 5 Legal issues arising from the 2007 election

Part 6 E-business

Part 7 Finances

Part 8 Summary of recommendations

1.4 Much of this submission refers to matters dealt with by the JSCEM in its *Report of the Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto* (the "JSCEM 2004 Election Report"). **Annex 1** summarises in tabular form actions that have been taken by the AEC in response to the recommendations arising from that Report.

1.5 In September 2007, the JSCEM tabled its report entitled *Review of Certain Aspects of the Administration of the Australian Electoral Commission*. Recommendation 3 of that report asked that the AEC report back to the JSCEM on the performance of all collocated divisional offices as part of this submission. A report on the performance of collocated divisional offices at the 2007 election is at **Annex 2**.

1.6 Between the 2004 and 2007 elections, there were a number of significant amendments made to the *Commonwealth Electoral Act 1918* (CEA) and the *Referendum (Machinery Provisions) Act 1984*. These are described at **Annex 3**.

1.7 The federal election timetable for 2007 is detailed below.

FEDERAL ELECTION 2007 TIMETABLE

Event	Election 2007
Election announced	Sunday 14 October
Issue of writ	6p.m. Wednesday 17 October
Close of rolls Deadline for new enrolments Deadline for changes to enrolments	8p.m. Wednesday 17 October 8p.m. Tuesday 23 October
Close of nominations	12p.m. Thursday 1 November
Declaration of nominations	12p.m. Friday 2 November
Polling day	Saturday 24 November
Return of writ Senate writ for Tasmania	Friday 14 December 2007
Senate writ for NSW	Wednesday 19 December 2007
Senate writ for Queensland	Wednesday 19 December 2007
Senate writ for WA	Wednesday 19 December 2007
Senate writ for SA	Thursday 20 December 2007
Senate writ for Victoria	Friday 21 December 2007
Senate writs for the ACT and NT	Friday 21 December 2007
House of Representative writs for all States and Territories	Friday 21 December 2007
Closing date for the lodgement of petitions to the Court of Disputed Returns	Wednesday 30 January 2008

2. ENROLMENT

2.1 Background

2.1.1 All Australian citizens over the age of 18, and “British subjects” who were enrolled as at 25 January 1984, are entitled and required to be enrolled for federal elections unless they are: of unsound mind, serving a prison sentence of three years or longer, or have been convicted of treason or treachery and have not been pardoned. Australian citizens who are 17 years old may provisionally enrol and will become fully enrolled for an election if their eighteenth birthday falls on or before polling day. Provisional enrolment is also available to eligible persons who are not enrolled but who will be granted Australian citizenship, including between the issue of the writs and polling day. Enrolment is voluntary for Australians residing overseas or in Antarctica, Norfolk Islanders, people with no fixed address, and 17 year olds. Unless an elector is resident overseas, is a Norfolk Island elector, or an itinerant elector, the elector should be enrolled for the address at which he or she has lived for one month or longer that is his or her real place of living.

2.1.2 An important responsibility of the AEC is the management of the Commonwealth electoral roll. The electoral roll is updated daily with first time applicants for enrolment, changes such as changes of address, and removals from the roll. There is a deadline specified in the writ for every federal election after which the roll will be “closed” for that election. This is known as the “close of rolls”, and defines the date that the electoral roll is closed to changes before a federal election. The roll at that date forms the basis for the list of electors who are entitled to vote at that election.

2.1.3 As well as determining the entitlement of electors to vote at federal elections, the AEC maintains the electoral rolls for state, territory and local government elections under “joint roll arrangements”. Therefore the AEC must ensure that as many eligible electors as possible are correctly enrolled at all times, not just at the close of rolls for a federal election.

2.2 Close of rolls

2.2.1 As described in detail at **Annex 3, paragraph A3.2.3**, there are now two deadlines relevant to the close of rolls process. The writs for the 2007 election were issued on Wednesday 17 October 2007, with the electoral roll closing at 8p.m. on Tuesday 23 October 2007. The CEA specifies the close of rolls deadline as being on the third “working day” after the date of the issue of the writs. As a public holiday (Show Day on Flinders Island in Tasmania) fell on Friday 19 October 2007, that day was not a “working day” within the meaning of the CEA, and consequently the close of rolls deadline was Tuesday 23 October 2007 rather than Monday 22 October 2007. For the 2007 election, the close of rolls deadlines were therefore:

- 8p.m. on Wednesday 17 October 2007 for those who were enrolling for the first time or re-enrolling after a period of non-enrolment; and

- 8p.m. on Tuesday 23 October 2007 for those people covered by the longer deadline, namely:
 - people already on the roll whose details needed to be updated;
 - eligible persons who are not enrolled but who will turn 18 years old between the issue of the writs and the end of polling day; and
 - eligible persons who are not enrolled but who will be granted Australian citizenship between the issue of the writs and polling day.

2.2.2 The purpose of the roll close is to permit the printing of certified lists. The roll does not remain static after the close of rolls. Between the close of rolls and polling day, a number of changes may occur. These include:

- additions to the roll (primarily as a result of processing enrolment forms that were received prior to close of rolls but not processed due to time constraints), 1,562 in this period in 2007; and
- deletions from the roll (some as a result of processing enrolment forms, but primarily the removal of deceased electors), 7,710 in this period in 2007.

2.2.3 In addition, after polling day electors who were not enrolled but who are nevertheless eligible to have their votes counted were “reinstated” to the roll, having been originally removed from the roll in error by the AEC. There were 7,614 such reinstatements at the 2007 election. Such reinstatements did not apply to persons who had been removed from the roll by objection action on the ground that they were no longer resident at their enrolled addresses.

2.2.4 13,645,073 people were enrolled as at the close of rolls for the 2007 election. This was an increase of 623,843 on the number enrolled for the 2004 federal election. **Table 2.1** shows the close of rolls figures for the last four federal elections by state and territory.

Table 2.1 - Number of electors enrolled as at close of rolls, by State and Territory

State/Territory	1998	2001	1998-01 % Change*	2004	2001-04 % Change*	2007	2004-07 % Change*
NSW	4,031,749	4,204,383	4.28	4,302,122	2.32	4,495,336	4.49
VIC	3,056,887	3,218,746	5.29	3,292,409	2.29	3,442,096	4.55
QLD	2,177,556	2,319,481	6.52	2,463,402	6.20	2,612,300	6.04
WA	1,140,845	1,200,438	5.22	1,237,349	3.07	1,312,942	6.11
SA	1,006,398	1,034,377	2.78	1,049,814	1.49	1,075,968	2.49
TAS	329,751	328,829	- 0.28	339,589	3.27	349,788	3.00
ACT	208,684	219,876	5.36	224,896	2.28	238,742	6.16
NT	104,755	110,501	5.48	111,649	1.04	117,901	5.60
Australia	12,056,625	12,636,631	4.81	13,021,230	3.04	13,645,073	4.79

* Note: % change represents the increase in electors enrolled since the last election

2.2.5 These figures highlight the need to approach with caution the interpretation of statistics regarding the number of people who enrol between the announcement of an election and the close of the rolls. First, it needs to be noted that in 2004 the election date was announced on Sunday 29 August 2004 with the rolls closing nine days later, on Tuesday 7 September 2004. In 2007 the election was announced on Sunday 14 October 2007 with enrolment deadlines (as discussed at **paragraph 2.2.1** above) of Wednesday 17 October 2007 and Tuesday 23 October 2007. The period between the announcement of the election date and the deadline for updating existing enrolment details was therefore the same in 2004 and 2007. During the period from 14 to 23 October 2007 279,469 people enrolled or changed their enrolment in time for the election, compared with 423,993 who enrolled or changed their enrolment details during the corresponding period (29 August to 7 September 2004) at the 2004 Federal election. In 2007, however, 100,370 people missed the close of rolls deadline for enrolling or changing their enrolment details (by providing an enrolment form between close of rolls and polling day, too late for the election), compared to 168,394 people who missed the deadline in 2004. Given that in 2007 the gap between the announcement of the election and the deadline for new enrolments was 3 days, and that the gap between the announcement of the election and the deadline for updating existing enrolments was 9 days, it is arguable that the lower number of transactions in 2007 flowed from the AEC's extensive efforts to stimulate enrolment activity earlier in 2007, as discussed in more detail at **part 2.3** below. It is also worth comparing the total enrolment transaction (new enrolments, reenrolments and change of enrolments) for the year leading to the close of roll for the 2007 and 2004 elections, namely 2,519,917 and 2,200,117 respectively (please refer to **Annex 4, tables A4.13** and **A4.14**).

2.2.6 In the AEC's view, enrolment stimulation activities which have the effect of encouraging people to enrol prior to the calling of an election, rather than only after the announcement of polling day, also have the benefit of increasing the extent to which AEC divisional staff are able to focus, in the crucial first week of the election period, on preparations for nominations, polling and counting.

2.2.7 The number of electors on the roll is one indicator of roll completeness. Another is the proportion of eligible persons who are estimated to be enrolled. The estimated eligible population has been sourced from Australian Bureau of Statistics (ABS) population figures and adjusted for the estimated number of eligible electors, for example by excluding non-citizens and those under 18. On this basis, enrolment as a percentage of the estimated eligible population increased from 90.2 per cent at 30 June 2006 to 92.3 per cent at close of rolls for the 2007 election. **Table 2.2** details the enrolment numbers and the estimated percentage of the eligible population enrolled.

2.2.8 **Tables 2.1 and 2.2** demonstrate the effectiveness of the AEC's efforts to increase enrolment numbers for the 2007 election. In addition, the campaigns of political parties, the activities of some interest groups (for example the union movement, and the GetUp! organisation) and the intense media speculation in August/September 2007 regarding an impending federal

election, may have been (possibly interacting) factors in increasing enrolment numbers in the months leading up to the close of rolls.

2.2.9 More detailed enrolment data for the 2007 election are provided at Annex 4.

Table 2.2 - Number of Enrolled Electors as percentage of the estimated eligible enrolled population

Date	Enrolled Electors	Estimated enrolled population (%)
7 September (close of rolls 2004)	13,012,230	91.5%
30 June 2005	13,114,475	91.5%
30 June 2006	13,081,539	90.2%
30 June 2007	13,451,214	91.6%
23 October 2007 (close of rolls 2007)	13,645,073	92.3%

2.3 Strategies to lift enrolment

Source of enrolment forms

2.3.1 The reduction in the close of rolls period meant that during 2007 the AEC placed a strong emphasis on ensuring that eligible electors were correctly enrolled prior to the issue of the writs and that the focus was on having an “election ready roll” at the appropriate time. Part of this strategy was to ensure that enrolment forms were available in a variety of Commonwealth agencies such as Centrelink (in line with recommendation 1 from the JSCEM 2004 Election Report, discussed in **paragraphs 2.3.4 to 2.3.8** below) and to place a greater emphasis on making electors aware of the availability of enrolment forms on the internet.

2.3.2 The main sources of enrolment forms processed during 2007 are shown at **table 2.3** below.

2.3.3 The requirement in the CEA that the elector sign enrolment forms means that electors cannot enrol (or update their enrolment) online. Enrolment forms are available on the AEC website, but people wishing to use one must print the form, sign it by hand, and deliver it to the AEC. At the 2007 election, the AEC has noticed an increased number of electors scanning their enrolment forms and emailing them to the AEC as an alternative to electronically completing a form and submitting it over the internet. The increase in scanned and emailed enrolment forms in 2007 is an indication that a growing proportion of the electorate prefer to deal with the AEC online. The immediacy of the internet is possibly best suited to the short period immediately before an election when electors are looking for a speedy solution. During October 2007 (the close of rolls period), over one quarter of enrolment forms received by the AEC were sourced from the internet. Online enrolment is discussed further in **part 6.2** below.

**Table 2.3 – Source for the supply of enrolment forms to electors,
1 January 2007 – 23 October 2007**

National - Enrolment Forms Processed									
1 January 2007 - 23 October 2007									
Source	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
Post Office	222,488	110,178	139,666	57,367	43,949	10,908	11,476	7,857	603,889
Mail Review (1)	119,794	98,967	120,244	66,838	40,345	14,529	11,702	4,356	476,775
Fieldwork (Non-SAF) (2)	143,449	50,666	124,514	47,724	27,474	9,940	8,259	9,905	421,931
Internet	137,018	68,607	67,948	31,811	18,067	4,551	13,006	3,758	344,766
Div/SO Issued	52,416	42,562	36,156	32,492	14,935	5,583	3,200	1,054	188,398
State Election (3)	44,605	44,014	9,618	15,455	14,384	5,154	767	3,041	137,038
Citizenship Ceremonies	40,044	27,204	13,943	10,752	5,056	810	1,230	544	99,583
Enrolment Stimulation Activity (4)	21,691	16,422	24,276	11,623	5,570	1,733	1,909	760	83,984
State Office Mailouts/Initiatives (5)	140	2,217	45,041	37	2,125	3,115	147	13	52,835
Enrol to Vote Week	9,133	8,305	4,415	2,285	2,669	138	359	214	27,518
Other Commonwealth Agencies	4,659	3,504	3,809	1,745	929	568	584	211	16,009
School/Community Visits	2,912	3,185	1,364	3,667	1,809	2,423	99	55	15,514
Birthday Cards	8,814	11	533	488	2,610	881	4	52	13,393
MPs and Parties	4,648	1,176	3,629	1,792	866	397	236	629	13,373
SAF (6)	973	426	1,218	1,025	850	946	1,282	670	7,390
University O Week	1,927	918	1,351	1,242	442	250	452	105	6,687
Rock Enrol	704	273	426	316	185	87	88	147	2,226
SMS Requests	448	430	279	167	75	31	34	30	1,494
Unknown/Not Supplied (7)	14,720	5,390	5,776	1,771	2,136	506	982	74	31,355
Other	151	283	241	71	95	14	31	17	903
Total	830,734	484,738	604,447	288,668	184,571	62,564	55,847	33,492	2,545,061

- (1) Sourced through regular AEC mail review letters
- (2) Sourced through fieldwork
- (3) Sourced from state/territory electoral bodies (including forms collected at polling places)
- (4) Sourced through enrolment stimulation activity discussed in **paragraphs 2.3.9 to 2.3.10**
- (5) Sourced from local initiatives from state/territory AEC offices
- (6) Sample Audit Fieldwork (SAF) is a fieldwork program to measure the accuracy of the electoral roll
- (7) No source code supplied

Provision of enrolment forms in government agencies

2.3.4 Recommendation 1 from the JSCEM 2004 Election Report was that enrolment forms be made available at Australia Post, Medicare, Centrelink and Rural Transaction Centre outlets to encourage electors and potential electors to meet their enrolment obligation. The JSCEM recommended that this service be provided without fee to the Commonwealth.

2.3.5 The implementation of this recommendation was discussed as a case study in the AEC's 2006-07 Annual Report at page 31, as follows:

Cooperating to promote electoral awareness and access to enrolment forms

One of the priorities of the AEC's new communication strategy is to build partnerships with other agencies to substantially increase the availability of enrolment forms and electoral information in the Australian community.

In the past, enrolment forms were available only from AEC offices and Australia Post outlets or through the AEC website. During 2006–07, the AEC developed effective partnerships with Centrelink, Medicare Australia, the Department of Immigration and Citizenship, the Department of Defence and the Australian Taxation Office in order to use their national communication channels and local offices to greatly extend the availability of enrolment forms and electoral information.

From June 2006, enrolment forms were displayed in and available from 331 Centrelink, 238 Medicare and 21 Australian Taxation Office shopfronts, and also from more than 100 independently operated Rural Transaction Centres. In addition, related public awareness materials, including digital posters displayed on video screens, will soon be displayed in some Medicare and Centrelink offices.

This initiative effectively implemented the undertaking given in the Australian Government's response to recommendation 1 of the Joint Standing Committee on Electoral Matters inquiry into the conduct of the 2004 federal election. The effectiveness of the arrangement will be monitored and assessed in 2007–08.

This interagency cooperation also opened up a number of other mechanisms and opportunities to promote enrolment and increase electoral awareness in 2006–07.

For example:

- an enrolment promotion flyer was included in the packaging of the Tax Pack 2007
- enrolment promotion articles tailored for senior Australians and culturally and linguistically diverse audiences were placed in client publications
- using the Department of Immigration and Citizenship's email network, a targeted message about enrolment was sent to organisations representing Australians from culturally and linguistically diverse backgrounds
- a targeted enrolment message was included in the in-queue messages of Centrelink's national phone line for young people and students
- a link to the AEC website has been created from the Defence Community Organisation website and the Defence Housing Authority to encourage the updating of enrolment when defence personnel and families move.

The AEC will continue to foster partnerships with these and other agencies in 2007–08 to further increase the availability of electoral information to Australians in cost-effective ways.

2.3.6 Enrolment forms were displayed free of charge at Medicare offices, but for a fee of \$10,100 per annum at Centrelink offices. The Australia Post charter only allows the provision of such services on a fee for service basis. Australia Post continues to be an important source point with 603,889 (representing 23.73 per cent) of enrolment forms processed in the period 1 January – 23 October 2007 being sourced from Post Offices around Australia. As Rural Transaction Centres are independently owned, the AEC contacted individual owners to arrange display of enrolment forms, which some were prepared to do.

2.3.7 For the close of rolls period, the AEC made arrangements with the Australian Taxation Office (ATO) to also display enrolment forms. The AEC also made arrangements with Centrelink and Medicare to place a collection box in their offices for completed enrolment forms in the close of rolls period, which would then be collected and processed by AEC staff.

2.3.8 The AEC would like to acknowledge the efforts of government agencies in ensuring that enrolment forms were available to their clients in the months preceding the election.

Enrolment Stimulation Activity

2.3.9 As stated above, due to the change to the close of rolls period, in 2007 the AEC placed an increased focus on ensuring that as many eligible electors as possible were enrolled prior to the issue of the writs. With this in mind, and in response to the declining 2005 and 2006 enrolment numbers, a national enrolment drive commenced in March 2007. This involved targeted mail outs (to potential electors identified through data matching with agencies such as Centrelink), phone follow-up and door-knocking to approximately 1 million householders whom the AEC believed were not enrolled or needed to update their enrolment. The households targeted fell into a number of different categories.

- Particular attention was given to electors who had been deleted from the roll by objection action based on “non-residence”. Such objection action would have proceeded where the AEC had obtained evidence that the elector was no longer living at the address for which he or she had been enrolled, and where the elector had not re-enrolled elsewhere.
- Attention was also directed to current electors who had been identified for objection action, which could have led to their deletion from the roll on the ground of non-residence. This data was matched with external data to ascertain the elector’s current address, the aim being to seek to encourage the electors to update their enrolments, thereby making the objection action unnecessary.
- People identified in January and February 2007 as living at a new address, but not yet enrolled at that address.
- Finally, attention was directed to people at addresses to which the AEC had mailed enrolment follow-up letters in the period from July 2005 to December 2006, to which there had been no response.

2.3.10 The enrolment stimulation program operated for approximately six months commencing on 17 March 2007 in all states and territories with the exception of New South Wales, which commenced on 28 April 2007 due to the March 2007 state election. While the AEC previously conducted door-knocking, and targeted regional door-knocking exercises, this was the first time the AEC had deployed targeted door-knocks on such a large scale. The AEC employed 3,308 field workers and posted 256,464 targeted mail review

letters. This was the first large nationally co-ordinated review of electors using this targeted methodology.

Enrolment Promotion

2.3.11 In addition to the national enrolment stimulation program, the AEC undertook other activities including an extensive national advertising campaign and other promotions. Enrolment promotion activities were implemented in selected divisions between June and September 2007 to address under-enrolment or changes of address. Activities included promotions at shopping centres, malls, schools and colleges and major events (eg show days) as well as door-knocking or mailing high turnover areas and generic mailing to post office box holders. These local initiatives generated 52,835 enrolment forms.

2.3.12 Attendance at citizenship ceremonies continues to be an effective way of ensuring that new citizens are aware of their enrolment and voting obligations. As outlined in **table 2.3** above, the AEC collected 99,583 enrolment forms from attending citizenship ceremonies in the period 1 January to 23 October 2007.

2.3.13 The first national Enrol to Vote Week (28 May to 1 June 2007) was conducted with the aim of achieving in-school enrolment of 17 and 18 year old senior secondary students. This initiative generated 27,518 enrolment transactions up to the close of roll deadlines for the 2007 election, the majority of which were new enrolments. Enrolments continue to be received as a result of this initiative as participating schools make enrolment forms available to students as they turn 17 and 18. The AEC intends to continue to promote Enrol to Vote week as an annual event. The cost of Enrol to Vote Week in 2007 was \$254,038. This cost included setup costs, including the development of the dedicated Enrol to Vote Week website, which will not be incurred for future events.

2.3.14 The national advertising campaign and other enrolment promotion activities are discussed at **part 3** below.

2.3.15 **Table 2.4** shows enrolment transactions throughout 2007 against identified enrolment stimulation activities. The graph indicates that a high percentage of electors did not wait until the announcement of the election to enrol, instead enrolling (or updating their enrolment) in the months preceding the close of the rolls. The temporary decline in enrolment numbers in June and September 2007 was due to a number of objections being processed those months. Between January and April 2007, objection action was re-scheduled pending fieldwork and processing of collected enrolment forms. The aim was to avoid removing people from the roll where there was a real prospect of identifying their new addresses and encouraging them to update their existing enrolments. Roll accuracy has to be balanced by ensuring that eligible electors are encouraged to enrol (or update their enrolment) whilst ensuring that electors no longer entitled to be enrolled (at a particular address) are “objected” off the roll as determined by the legislation.

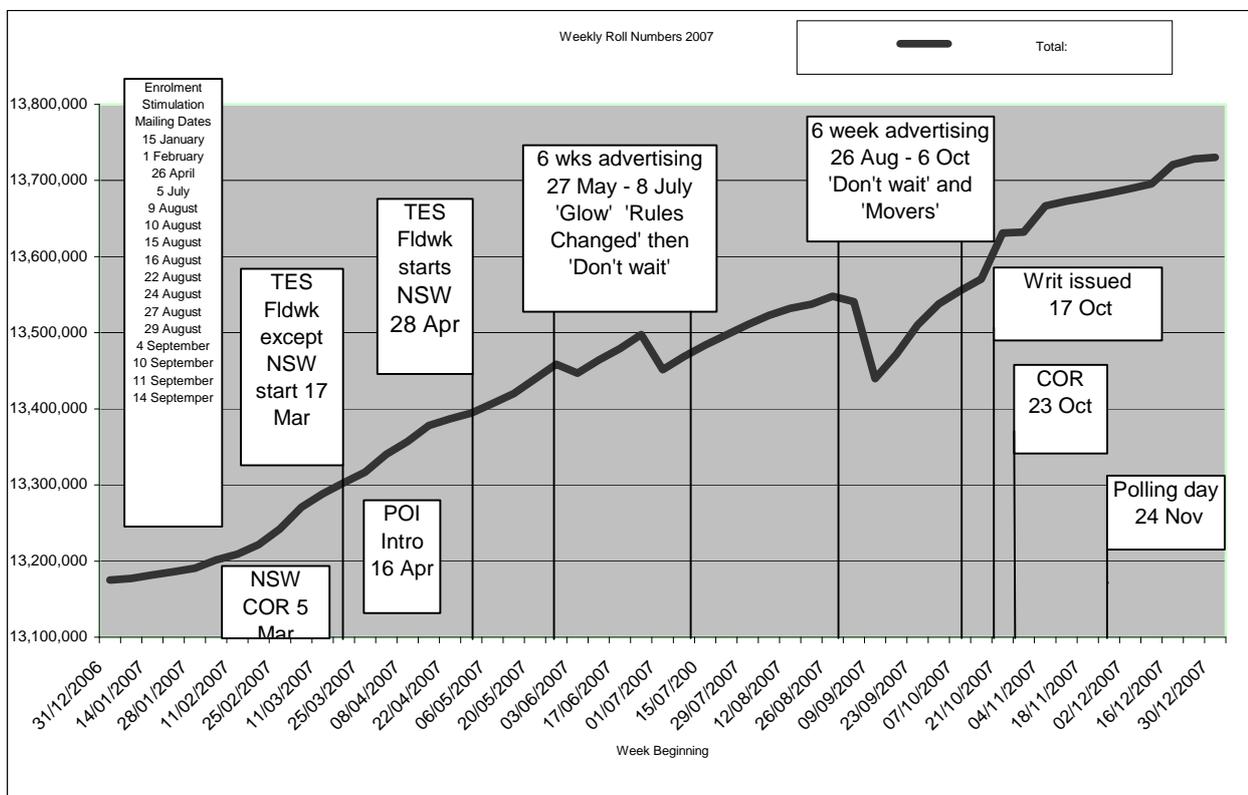


Table 2.4 – 2007 enrolment transactions (displaying major enrolment promotion activities)

2.4 Proof of identity for enrolment

2.4.1 Prior to the introduction of proof of identity (POI) requirements for enrolment in 2007, electors were required to have their enrolment forms witnessed by a person eligible to be on the Commonwealth electoral roll. The requirement for an elector to provide evidence of his or her identity for enrolment came into effect on 16 April 2007. Under the new scheme, an enrolment form is no longer required to be witnessed. The legislation provides a three tier approach, as described at **Annex 3, paragraph A3.2.6**.

2.4.2 Since the introduction of POI the vast majority of enrolling electors (just over 90 per cent) are providing a driver's licence number (or passport number, in the case of overseas electors) on their enrolment form as proof of their identity. 8.5 per cent of enrolling electors show an authorised person an approved document and the remaining enrolling electors (just under 1.5 per cent) have their identities confirmed by two enrolled people who know them.

2.4.3 **Table 2.5** shows the numbers and percentage of electors providing tier 1, 2 or 3 POI by state and territory. Figures are not available on the number of applications rejected due to incomplete POI being provided.

Table 2.5 - POI tier identity provided by state and territory (16 April 2007 to 23 October 2007)

	Tier 1	Tier 2	Tier 3	
	Driver's Licence*	Attester details provided	Referee details provided	Total
NSW	425,828	47,210	6,600	479,638
VIC	293,718	28,195	4,668	326,581
QLD	400,600	30,344	4,560	435,504
WA	174,183	15,953	2,432	192,568
SA	103,892	11,701	2,011	117,604
TAS	33,595	2,699	611	36,905
ACT	29,192	1,984	196	31,372
NT	21,579	2,099	1,406	25,084
Total	1,482,587	140,185	22,484	1,645,256
NSW	88.8%	9.8%	1.4%	
VIC	89.9%	8.6%	1.4%	
QLD	92.0%	7.0%	1.0%	
WA	90.5%	8.3%	1.3%	
SA	88.3%	9.9%	1.7%	
TAS	91.0%	7.3%	1.7%	
ACT	93.1%	6.3%	0.6%	
NT	86.0%	8.4%	5.6%	
Total	90.1%	8.5%	1.4%	

* Note: drivers' licence numbers include passport numbers for overseas electors

The impact of the three-tiered POI scheme

2.4.4 It is important, in assessing the impact of a measure such as the recently implemented POI scheme on the integrity of the rolls, to define what is meant by "integrity". The AEC's *General Enrolment Manual* provides the following definition:

"The AEC's definition of roll integrity consists of the following elements:

- **Entitlement** – the individual meets all legislative qualifications for enrolment on the electoral roll, information provided by the individual is tested to detect and prevent enrolment fraud,
- **Accuracy** – the individual is enrolled for the address at which they are entitled,
- **Completeness** – all individuals who are entitled to enrolment are enrolled,
- **Processing Correctness** – information provided by individuals and organisations is entered correctly and completely on the roll, addresses are correctly and completely described, classified and aligned, and

- **Security** – the electoral roll is protected from unauthorised access and tampering.”.

2.4.5 Of these elements, POI is most directly relevant to two: “Entitlement” and “Completeness”. To the extent that the scheme prevents the inclusion on the roll of names representing false identities, the “Entitlement” aspect of the integrity of the roll will be enhanced. To the extent that the scheme:

- facilitates enrolment by persons who are actually entitled to do so; or
- places obstacles in the way of enrolment by persons, thereby preventing or discouraging them from enrolling,

the “Completeness” aspect of the integrity of the roll will be enhanced or diminished, as the case may be. The question, which therefore arises, is whether the net effect of the scheme, taking these two potentially countervailing effects into account, enhances or diminishes the “integrity” of the rolls.

2.4.6 Turning first to entitlement, it can be clearly stated, in relation to false identities, that there has never been any evidence of widespread or organised enrolment fraud in Australia. The few cases which have arisen have generally been linked either to internal political party issues, or to attempts to support false identities being generated for non-electoral purposes. However, it should also be clear that the introduction of an externally verifiable identifier, such as a driver’s licence number, does provide more assurance that only entitled applicants are enrolled to vote.

2.4.7 In relation to completeness, a number of factors need to be taken into consideration. The tier 1 driver’s licence POI requirement removes the necessity to have the enrolment form witnessed for enrolment at federal elections. For the 90 per cent of enrolling electors who are now proving their identities by providing a driver’s licence number, this has simplified the enrolment process by removing the need to involve another elector in the enrolment process. In addition, this simplifies the administrative processes for the AEC as it allows for electronic checking of the POI provided.

2.4.8 A basic requirement of any voter registration system is that it should not operate in a discriminatory manner: eligible people in all segments of society should be able to enrol with comparable ease. In this context, it is important to emphasise that there are a number of Australians who do not have a driver’s licence. For these Australians tiers 2 and 3 are the alternative form of POI. The AEC believes in most circumstances this has worked well.

2.4.9 As noted at **paragraph 2.2.7** above, the AEC estimates that 92.3 per cent of eligible electors were enrolled for the 2007 election. Given that the figure represents an increase over the percentage of eligible electors estimated to have been enrolled at the 2004 election, it might seem plausible to argue that POI did not constitute a large obstacle to enrolment. In the AEC’s view, however, this figure cannot by itself be taken to imply anything about ease of enrolment under POI, because there were two influences on overall enrolment coming into play at the same time: the introduction of POI,

and the extensive and indeed unprecedented enrolment stimulation activities described at **Part 2.3** above. There were also widespread electoral enrolment campaigns organised by parties and other groups, as well as heightened public speculation as to the calling of a federal election.

2.4.10 The proportion of eligible persons not on the electoral roll for the 2007 election (approximately 7.7 per cent, **see paragraph 2.2.7**) obviously remains a concern to the AEC and to others. These may be made up of:

- eligible electors who missed the close of rolls deadline;
- a proportion of society who consciously choose not to participate;
- disengaged or politically apathetic members of society;
- people who want to be on the roll but are disadvantaged because of their personal circumstances and do not have a driver's licence, for example, people with a disability, people affected by homelessness and the elderly; and
- a disadvantaged proportion of society who have only a marginal understanding of their electoral rights and obligations.

2.4.11 The disadvantaged Australians mentioned in the last two dot points above in particular need to be considered in any POI regime, to ensure they are not discouraged from enrolling due to overly prescriptive identification requirements.

2.4.12 On balance, the AEC is of the view that the tier 1 mechanism has worked well, and favours its retention. It makes enrolment simpler for those who are in a position to utilise it, and the tests it embodies are capable of being automated, and therefore of being implemented effectively. There is, however, a strong case for examining tiers 2 and 3, which at the moment:

- are intrinsically discriminatory against people who do not possess a driver's licence, forcing them to go through a more complex process in order to enrol;
- run the risk of impacting disproportionately on the poor, and on people in remote and indigenous communities; and
- are still capable of being circumvented by persons truly determined to do so.

2.4.13 The AEC is of the view that some consideration may need to be given to simplifying tiers 2 and 3, but at this time no single option has been identified that would both be verifiable and accessible. The AEC would see value in doing further research into possible new models for tiers 2 and 3, as well as looking at whether POI in its current shape is presenting barriers to enfranchisement for some societal groups. Such research would include:

- further investigation to identify specific groups of Australians who do not have a driver's licence;
- further analysis of the take-up rates for tiers 2 and 3 by groups identifiable through roll data; and
- further investigation of the situation of the non-enrolled population to assess the impact of the requirements of tiers 2 and 3.

2.4.14 If, however, the JSCEM is of the view that urgent action is needed, the AEC would propose that tiers 2 and 3 be simplified into a single tier, under which those who do not possess a driver's licence number will be able to enrol if their enrolment forms are witnessed by another person on the Commonwealth roll. This was essentially the scheme that was in place prior to the introduction of the POI regime.

Recommendation 1: The AEC **recommends** that:

- (i) tier 1 POI be retained;
- (ii) further research be conducted into possible new models for tiers 2 and 3, focussing on whether POI in its current shape is presenting barriers to enfranchisement for some societal groups; and
- (iii) if the JSCEM is of the view that urgent action is needed, tiers 2 and 3 be simplified into a single tier, under which those who do not possess a driver's licence number will be able to enrol if their enrolment forms are witnessed by another person on the Commonwealth roll.

Once only POI

2.4.15 One straightforward step to ensure that POI does not place obstacles to enfranchisement would be to require the supply of a driver's licence number, or the use of other tiers, once only. This would see electors who have been subject to POI provision flagged as verified electors, and then not required to submit to the POI system for any changes to enrolment, such as change of name or address. This would still meet the aims of the POI system, which is to verify through data external to the AEC that electors exist, rather than act as an ongoing check for other qualifications such as residence. The AEC notes that other organisations which require POI, for example banks, do not require customers to go through the same identity confirmation process for subsequent transactions, when those transactions can be readily tied back to the original proof.

Recommendation 2: The AEC **recommends** retaining a POI requirement for enrolment for first time enrollees only. The POI requirement should be discussed with states and territories to ensure harmony in enrolment criteria for the joint roll, and to make sure enrolment requirements are not overly prescriptive.

2.4.16 Some electors will not have moved or changed their personal details since the introduction of POI, and so would not be flagged as verified. The AEC will continue to monitor the numbers of electors who have gone through the POI process.

POI and state-only/federal-only enrolment

2.4.17 Following the federal legislation introducing the POI component of enrolment, two states (Victoria and Western Australia) have not made corresponding state legislation to accept POI as verification of identity for state enrolment purposes. This requires electors in these states to both meet the POI requirements as well as relevant state witnessing provisions to be enrolled for both federal and state elections. An elector who only meets either the federal POI requirement or state witnessing requirements will be enrolled as a “federal-only” or “state-only” elector respectively. While these categories have existed prior to POI to accommodate differences between federal and state enrolment provisions, since the introduction of POI there has been a substantial increase in the number of state-only and federal-only electors. As at 13 April 2007, prior to the introduction of POI, there were 1,781 state-only enrolled electors and 4,223 federal-only electors, the cases arising from differing Commonwealth and state enrolment qualifications for prisoners and other special category electors. As at the close of rolls for the 2007 election there were 17,609 state-only enrolled electors and 18,220 federal-only electors.

2.4.18 The AEC is concerned that the different enrolment criteria between federal and some state jurisdictions are unnecessarily complicating the enrolment process, and thereby potentially impacting upon the franchise of eligible electors at both federal and state levels. Electors often do not distinguish between state and federal electoral authorities, and there is a risk that confusion and frustration with bureaucracy may discourage “state-only” and “federal-only” electors from enrolling again to meet both requirements. For joint roll arrangements to be fully efficient and effective:

- the AEC believes there should be one enrolment form nationwide, rather than different forms for each state and territory;
- the lodging of such a form should suffice to effect the elector’s enrolment for federal, state, territory and local government elections, without any need for further interaction to resolve “federal-only” or “state-only” status; and
- all jurisdictions should work together towards achieving these objectives.

2.5 Provisional enrolment of new citizens

2.5.1 Section 99A of the CEA makes a provisional claim for enrolment available to a person who has applied for citizenship and who would be entitled to enrol once granted Australian citizenship. Once granted citizenship

the person is automatically placed on the electoral roll. There has not been a successful application for provisional enrolment under section 99A for some years.

2.5.2 Section 99B of the CEA allows a person to claim provisional enrolment by application for citizenship if they will become a citizen between the issue of the writ and polling day. In the 2007 election, 1,422 electors claimed provisional enrolment under section 99B. Section 99A and 99B have a common intention of ensuring that new citizens are given every opportunity to vote once granted citizenship. There is an overlap between the two provisions that creates unnecessary confusion.

Recommendation 3: The AEC **recommends** that sections 99A and 99B be repealed and replaced with a single section dealing with provisional enrolment for potential new citizens.

3. COMMUNICATION STRATEGIES

3.1 Introduction

3.1.1 The AEC implements a national communication strategy for each election. The aim of the communication strategy is to increase public understanding and participation in the electoral process. In preparation for the 2007 election, changes to the CEA (particularly changes to close of rolls deadlines) necessitated the development of a comprehensive communication strategy and a lengthy advertising campaign. The communication strategy undertaken by the AEC can be broken into three broad categories:

- national advertising campaign;
- public awareness strategies; and
- communication with electors and stakeholders during the election.

3.2 National advertising campaign

3.2.1 The most effective component of the AEC's communication strategy for the 2007 election was the national advertising campaign. Advertisements were placed on television and radio, in press, magazines, cinemas, outdoor billboards, and on the internet.

3.2.2 The advertising campaign was implemented in two phases. The first phase of advertising occurred before the election was called. This phase was focused on enrolment and associated legislative changes that would affect electors (the need for electors to provide POI for enrolment and changes in the close of roll deadlines) and was targeted to all eligible electors. As part of this phase, the AEC also produced advertising tailored to special audiences including Indigenous electors, culturally and linguistically diverse (CALD) electors, electors experiencing homelessness, and electors with a disability.

3.2.3 The second phase of the advertising campaign occurred after the election had been called. This phase was aimed at reminding electors of the deadlines for enrolment, providing information on voter services and educating electors about how to fill in the ballot paper correctly. The second phase of the campaign was also targeted to all eligible electors.

3.2.4 The AEC commissioned Ipsos-Eureka Strategic Research (formerly Eureka Strategic Research) to undertake benchmarking and tracking research to assess awareness, understanding and effectiveness of the national advertising campaign.

3.2.5 A breakdown of the phases of the advertising campaign is provided below.

Timeframe	Key Message
April 2007	Introduction of POI for electoral enrolment.
May 2007	Remind people that a federal election was expected in 2007 and highlight the value of voting.
May to June 2007	Raise awareness of the changes to the deadline around enrolling to vote at federal elections and highlight the fact that if people wait to enrol or update their enrolment details they may miss out on voting at election time.
June to October 2007	Reinforce the deadlines for enrolling to vote, and how electors can check their enrolment.
October 2007	After the election was called, advise people of the actual deadlines for enrolling to vote.
November 2007	Raise awareness of the availability of early voting, including remote mobile polling and availability of electronic voting.
November 2007	Advise electors how to complete their ballot papers correctly.

3.2.6 The electoral roll is currently at an historically high level. Even if the Parliament were to change the close of rolls period, the AEC still needs to endeavour to ensure that the electoral roll is as accurate and complete as possible at all times, including between federal elections, reflecting the fact the roll is also used for state, territory and local government elections. While recent federal elections have been announced in the expected timeframe after long periods of media and public speculation, an early or unexpected election is always possible. A practice of relying on a peak of enrolment activity once an election has been called is an inadequate and inappropriate way to maintain the best, most accurate roll possible. Therefore, the AEC believes that a comprehensive communication strategy similar to that used in 2007 is required on an ongoing basis, with particular emphasis in the nine to twelve months prior to every expected federal election.

3.2.7 The media placements for the AEC advertising campaign for the 2007 federal election cost \$24.4 million, consisting of \$14.9 million for pre-election enrolment advertising leading up to the announcement of the federal election, and \$9.5 million for advertising after the announcement of the election. An additional \$4.4 million was paid to BMF Advertising Pty Ltd over a period of around two years to develop, produce and distribute the advertising campaign materials, including additional suites of materials for culturally and linguistically diverse (CALD) electors and Indigenous electors.

3.2.8 In 2007, the AEC increased spending on advertising and public awareness and initiated the Targeted Enrolment Stimulation (TES) Program in order to meet its obligation to inform electors of the change in legislation and ensure as many eligible electors as possible were correctly enrolled. TES commenced in March 2007 and was complemented by enrolment-related advertising in May and June 2007. The AEC incurred an operating loss of

\$6.9 million in 2006-07, largely related to expenses incurred on TES in that year. The AEC continued TES in 2007-08 and increased enrolment related advertising in the lead up to the 2007 election. The AEC expects to incur an operating loss of up to \$10 million in 2007-08 as it was not able to absorb the costs of these measures, particularly advertising, as well as deliver the election within its operating budget. The AEC does not have the capacity to draw on its cash reserves in future to fund such comprehensive public awareness activities. Therefore, the AEC believes it will need additional funding if these activities are to be maintained on an ongoing basis to ensure the roll is up to date, complete and accurate. These are not large amounts when compared with some other budget funded advertising campaigns.

3.3 Public awareness strategies

3.3.1 To improve public awareness for the 2007 election, the AEC produced a wide range of enrolment and election publications and engaged in public relations activities and events. A list of these publications and events is at **Annex 5**. While the national advertising campaign was aimed generally at all eligible electors, the AEC's communication strategy also included targeted advertising, products and initiatives for special groups including youth, culturally and linguistically diverse (CALD) Australians, Indigenous Australians, people experiencing homelessness, electors with a disability, and overseas electors. **Annex 5** discusses communication and engagement with identified target groups in more detail.

3.3.2 Both at the national and state levels AEC staff undertook a variety of public awareness and promotional activities. Following the release of phased media releases, spokespersons for the AEC participated in radio interviews and grabs, which targeted electors at each stage of the election. The large number of radio interviews was a cost effective method of delivering the AECs message at each stage of the election, e.g. close of rolls, commencement of early voting and polling day. Where possible, opportunities were also taken to provide background information and interviews for TV and print media.

Recommendation 4: To ensure accuracy and completeness of the electoral roll, the AEC **recommends** that it be funded to undertake a comprehensive communication strategy similar to that used in 2007 on an ongoing basis, with particular emphasis in the nine to twelve months prior to each expected election.

3.4 Communication with electors and stakeholders for the election

3.4.1 During the lead up to an election there is a greater need for electors and stakeholders to be able to access electoral information and engage in communication with the AEC. For the 2007 election the AEC had various mechanisms to meet this need.

Call centre

3.4.2 An important part of communication with electors in the lead up to the 2007 election was the AEC call centre. Centrelink was the AEC's service provider for the call centre, which operated from 14 October to 7 December 2007. The main tasks of the call centre were to answer telephone enquiries, answer email enquiries and to mail election products to electors upon request. Human operators answered over 430,000 calls, while interactive voice recognition (IVR) technology answered over 150,000 calls. The IVR played a series of recorded messages, including answers to frequently asked questions and prompts to visit the AEC website. The cost of the 2007 election call centre was \$4.6 million.

3.4.3 While the AEC used Centrelink's call centre infrastructure, the AEC provided call centre staff with supervision, training, scripts and an interactive database to enable them to answer enquiries from callers. Any complicated issues unable to be answered by the call centre were "escalated" to the AEC's "wizard cell". The wizard cell was operated from the AEC's national office in Canberra, and processed any complaints or enquiries that could not be dealt with by the call centre.

3.4.4 During the election period there was an overall increase in the level of public inquiries to the AEC via the website, email and by phone. The call centre received more than 580,000 calls over the election period (announcement of the election to two weeks after polling day). This represented a reduction of approximately 45,000 from the 2004 election period, but this was offset by a significant increase in the number of emails received and visits to the AEC website. From announcement of the election until two weeks after polling day, there were 38,295 email enquiries to info@aec.gov.au compared with 17,483 in the same period in 2004. Some of the emails included attached scanned completed enrolment, PVA or overseas notification forms. Another factor to note in the reduction of calls received in comparison with the 2004 election period is that the 2004 election had significant problems with postal voting which necessitated electors contacting the AEC. This did not occur for the 2007 election.

3.4.5 The increase in emails, the decline in calls and the greater use of the AEC's website (see **table 3.1**) demonstrates a change in the way in which electors are choosing to contact the AEC. This increasing preference for electronic interaction with government, and options for online enrolment and other online interactions with the AEC, is discussed at **part 6**.

AEC website

3.4.6 In conjunction with the call centre, another important and growing mechanism for electors and stakeholders to use to interact with the AEC is the AEC website. The AEC website was redeveloped in 2007, to improve user friendliness and navigation and make it easier for the AEC to customise and change messages. For example, close of roll messages were prominent on the home page immediately after the announcement of the election, while after the roll had closed the election countdown clock became a prominent message.

3.4.7 The website featured two popular tools - an online enrolment verification tool and a polling place locator. The online enrolment verification tool allowed electors to check their current enrolment details. This allowed electors immediately and easily to check if they needed to update their enrolment details prior to the close of rolls deadline. The polling place locator allowed electors quickly and easily to find their nearest polling places for the election. These “self-help” services were provided on the AEC website as a convenient and easily accessible tool to assist electors with personalised information that they might require or find helpful in the lead up to the 2007 election. This personalised service may have also contributed to the decreased number of calls received by the call centre.

3.4.8 Over the election period (election announcement to two weeks after polling day) the website received over 186 million hits. More than 2.5 million online enrolment verification inquiries were performed, and more than 5 million polling place location enquiries were undertaken.

Table 3.1 - Calls, emails and website statistics 2004 and 2007 for the period between the announcement of the election and two weeks after polling day

Transaction	2004	2007
Calls to call centre	629,443	583,456
Calls answered by human operator	484,111	431,337
Emails received	17,483	38,295
AEC website hits	99,010,715	186,638,509
Virtual Tally Room website hits	44,534,360	118,231,588
Online enrolment verifications	N/A	2,696,800

The National Tally Room

3.4.9 In the lead up to the 2007 election the continuation and value of the National Tally Room (NTR) had to be addressed. The Virtual Tally Room (VTR) is now the frontline system for the transparent publication of election results (including to media outlets), and the NTR is now primarily a large media centre, no longer a critical and essential forum for ensuring widespread dissemination of election results.

3.4.10 On 18 May 2007, the AEC announced that it would stage an NTR in Canberra as part of the election services for the 2007 election. The decision followed a period of written consultation by the AEC with a range of media and other stakeholders who attended the NTR in 2004. Differing views about the future value of the NTR had emerged from this consultation process, ranging from strong support for the retention of the service to a view that the NTR was no longer necessary. The AEC’s announcement noted that the decision to continue the NTR for the 2007 election would enable broader

consideration and assessment of the NTR after the 2007 election for future federal elections.

3.4.11 Shortly after the announcement was made, the JSCEM was asked by the then Special Minister of State to consider whether the NTR should be retained beyond the 2007 election. The AEC discussed the history and design of the VTR and NTR in detail in its 29 June 2007 *Submission Two to the Inquiry by the Joint Standing Committee on Electoral Matters into Certain Aspects of the Administration of the Australian Electoral Commission – The National Tally Room*. Having considered that Submission together with those lodged by a number of other interested organisations, and having canvassed the issues in public, the JSCEM recommended at paragraph 4.67 of its Report, tabled on 18 September 2007, that:

“the Australian Government ensures that the National Tally Room is retained for future federal elections.”

3.4.12 There has been no government response to this Report to date.

3.4.13 For the 2007 election, the ABC, SBS, Seven Network, Nine Network, Network Ten and Sky News broadcast live from the NTR. Approximately 750 media representatives and 2,600 members of the public attended the NTR throughout election night. Throughout the evening, NTR staff manually posted progressive election results to the tally board. However, the VTR and electronic feeds of election data directly to media outlets were the main and most up to date source of election results and statistics for journalists and politicians at the NTR.

3.4.14 The NTR cost more than \$1 million to build and operate, with significant costs including:

- \$372,000 for IT services;
- \$188,000 for construction and deconstruction;
- \$117,000 for security;
- \$96,000 for venue hire and Exhibition Park in Canberra services;
- \$71,000 for contract staff; and
- \$32,000 for signwriting/painting of the tally board.

Storage costs for the tally board and associated structures are approximately \$18,000 per annum.

3.4.15 The cost of the NTR, and the burden which its establishment within a tight timeframe places on the AEC, continue to be a significant concern for the AEC, especially in a period in which resources are stretched. The AEC notes that during the JSCEM's 2007 inquiry a number of media organisations expressed their support for the continuation of the NTR. The AEC believes that the time has come for media organisations to be asked to share some of

the costs of the NTR. This, ultimately, is the only way of determining the true extent of the value they place on its continuation. While acknowledging the importance of the NTR to some people as part of the fabric of an election and its importance to the media the NTR is not necessary to the conduct of an election. If in the allocation of resources for an election, the AEC is required to choose between diminishing services to electors, such as closing polling places, having longer queues at polling places or not running the NTR, then the AEC will deem the NTR of a lower priority and will not continue to provide it.

Recommendation 5: The AEC **recommends** that if the continued staging of the NTR is desired by the parliament, the AEC must receive additional funding, either through the budget or through charging, to cover associated costs.

The Virtual Tally Room

3.4.16 As part of its election services, the AEC provided the VTR, a comprehensive results and information service accessible via the AEC website. The results of counting were made promptly available to Australia and internationally, and were updated every 90 seconds on election night. On election night and during the subsequent further counting, the VTR represented a robust system that provided users with reliable, rapid access to results pages reflecting up-to-date information.

3.4.17 In 2007, the VTR provided results for each electoral division and the time they were last updated, and this allowed users to monitor the most recent results. On election night the VTR received over 43 million hits, an increase from 13.5 million in 2004, and handled in excess of 172,000 unique visitors (42,000 in 2004). The cost of hosting the VTR was approximately \$2.7 million excluding GST (\$1.6 million in 2004).

3.4.18 The AEC is currently developing a dedicated election results website. This site would provide the public and stakeholders with detailed historical election results. Given the ready availability of results through the VTR and the planned election results website, the AEC no longer intends to mass-produce CDs of the election results.

Liaison with parties, candidates and other stakeholders

3.4.19 The AEC took steps to further enhance its communication with parties, candidates and other stakeholders in the lead up to the 2007 election. Senior management held meetings with party representatives at national and state levels, and the AEC provided publications targeted at stakeholders in the electoral process, including the Candidate's Handbook, the Scrutineer's Handbook, and a new magazine, *The Tally Board*.

3.4.20 In addition, the AEC had an ongoing dialogue with stakeholders to clarify expectations and share information. Such regular dialogue with

stakeholders is an important factor in maintaining good working relationships, and will remain an ongoing priority for the AEC.

3.4.21 While many issues arising during the election period will be handled promptly and satisfactorily on the spot by the DRO and Officers in Charge of Polling Places, there are some issues and complaints that need to be escalated. For the 2007 election the AEC updated and distributed to all members, senators and major political parties the AEC protocol for handling complaints of possible offences during the election period. The protocol was published in the AEC's Electoral Backgrounder No. 15 on Electoral Advertising. The most common complaints received by the AEC at election time concern possible breaches of sections 328, 328A, 329 and 331 of the CEA. The protocol for making and dealing with such complaints for the 2007 election is briefly detailed below.

- All complaints of possible offences must be received in writing addressed to the Deputy Electoral Commissioner and be accompanied by evidence of the material in question; for example an original copy of How to Vote card, electoral advertisement or other documents relevant to the complaint.
- If the AEC considers there is a breach of sections 328 or 328A, the AEC will write to the relevant person seeking that the material be withdrawn until the material is amended to comply with the law.
- If the AEC considered there is a breach of section 329 the AEC will directly contact the relevant person seeking immediate action to rectify the breach. If offending material is not immediately withdrawn or amended the AEC may seek an injunction.
- If there is doubt as to whether there may be a breach, the matter will be referred to the Commonwealth Director of Public Prosecutions (CDPP) for advice.
- Where appropriate, the AEC will inform the complainant of the outcome of their complaint, including the action taken by the AEC.
- In addition, some major political parties provided the AEC with a single point of contact for a rapid resolution of escalated issues and complaints.

3.4.22 The AEC also developed a new internal protocol for the 2007 election for streamlined handling of and timely response to other issues and complaints arising during the election period. In addition, for the 2007 election, the AEC agreed guidelines with the Special Minister of State for provision of information to him during the election period.

4. POLLING AND COUNTING

4.1 Voting at the 2007 Federal Election

4.1.1 Historically, the main form of voting has been by attending a polling place on polling day and casting an ordinary vote. However, the CEA provides for a number of ways of casting a vote other than by ordinary vote. The alternative methods of voting are collectively called “declaration” voting, because the elector must complete a declaration that he or she is entitled to vote.

4.1.2 The different forms of voting are described below:

Ordinary vote	A vote cast by a voter on polling day at a polling place in the voter’s enrolled division.
Declaration vote	A vote that is sealed in an envelope bearing a voter’s particulars. Absent, pre-poll, postal and provisional votes are cast as declaration votes.
Postal vote	A declaration vote recorded by a voter eligible to do so, and returned to the AEC through the postal system.
Pre-poll vote	A declaration vote recorded by a voter eligible to do so, at a divisional office or pre-poll voting centre in the lead up to polling day. Certain pre-poll voting centres also open on polling day for the casting of interstate votes only.
Absent vote	A declaration vote cast at a polling place located outside the division, but within the state or territory, for which the voter is enrolled.
Provisional vote	A declaration vote cast by a person at a polling place when: <ul style="list-style-type: none">• his or her name cannot be found on the certified list;• his or her name is marked on the certified list to indicate that he or she has already voted;• the relevant polling official has doubts regarding the voter’s identity; or• the voter is registered as a ‘silent elector’ whose address does not appear on the certified list.

4.1.3 Taken together, pre-poll and postal voting are known as “early voting”, as they primarily occur in the weeks leading up to polling day. The AEC also conducts mobile polling in prisons, special hospitals and remote areas, and pre-poll and postal voting at overseas posts; and in 2007 implemented two trials of electronic voting. All of these activities are discussed below.

4.1.4 At the 2007 election, 13,364,359 people sought to vote. There were 7,723 ordinary polling places, and 426 early voting centres which operated from the three weeks prior to polling day; early voting facilities were also provided at AEC divisional offices. **Table 4.1** shows the number of each type of vote sought in 2007 by state.

Table 4.1 - Votes Issued by Type – Federal Election 2007*

State or Territory	Ordinary	Provisional	Absent	Pre-poll	Postal	Total
New South Wales	3,449,290	48,035	275,677	351,785	241,552	4,366,339
Victoria	2,541,221	38,995	216,540	318,648	246,896	3,362,300
Queensland	2,002,158	35,392	164,020	171,031	180,832	2,553,433
Western Australia	1,007,611	21,853	107,124	77,142	59,291	1,273,021
South Australia	856,774	14,344	70,391	53,386	59,310	1,054,205
Tasmania	281,875	4,162	16,901	19,832	19,659	342,429
Australian Capital Territory	177,174	2,726	3,458	37,586	12,037	232,981
Northern Territory	80,591	2,175	2,360	21,042	4,437	110,605
Overseas	0	0	0	59,758	9,164	68,922
Antarctic	0	0	0	124	0	124
TOTAL	10,396,694	167,682	856,471	1,110,334	833,178	13,364,359

*Note: Shows provisional, absent and pre-poll votes issued; postal vote applications received by the AEC; and ordinary votes for the Senate.

4.2 Pre-poll voting

4.2.1 There was a substantial increase in pre-poll voting at the 2007 election. Over 1,110,000 pre-poll votes were issued at the 2007 election, an increase of approximately 356,000 on the 2004 election. This fits the trend of increased use of early voting services over the past decade (see **part 4.4**).

4.2.2 After the 2004 election, the AEC conducted a review of early voting services. This included seeking stakeholder feedback on a range of early voting issues.

4.2.3 At the 2007 election the AEC implemented a number of strategic and policy changes to early voting. Some of the changes are detailed below.

- The number of locations used for pre-poll voting was increased to 429, an increase of 120 in comparison with the 2004 election. The largest increase in the number of pre-poll voting centres (PPVCs) occurred in Queensland. This resulted from the Government Response to recommendation 15 of the JSCEM report on the 2004 federal election which stated that the AEC would trial the use of state government agencies to issue pre-poll votes in rural and regional areas of Queensland. The AEC made arrangements for pre-poll votes to be issued from courthouses and QGAP (Queensland Government Agent Program) offices and other locations throughout rural and regional Queensland. There were also some additional airport PPVCs.

- Where possible, early voting centres were located in areas serviced by public transport. In many circumstances this meant early voting centres were located in or near a shopping complex.
- Consistent opening days and hours were implemented whenever possible and appropriate. Early voting centres located in a shopping complex often had extended opening hours to align with the opening hours of the complex.
- Early voting centres were open on the Saturday before polling day.
- Advertising and signage of and for early voting centres was improved.
- A consistent approach was applied to early voting at airports, including conducting polling during hours suitable for flight times.

4.2.4 As discussed further in part 4.4 below, this rise represents a real and significant issue that needs to be addressed by Parliament.

4.3 Postal Voting

Implementation of the JSCEM 2004 Election Report and the Minter Ellison Recommendations

4.3.1 A major concern which arose from the conduct of the 2004 election related to postal voting, in particular the delay in the distribution of postal voting packages (PVPs) by the AEC's postal voting production contractor. A PVP consists of a postal vote certificate envelope, ballot papers, and a pamphlet entitled *How to Postal Vote*. In response to these concerns, the AEC commissioned an independent inquiry by Minter Ellison lawyers, resulting in a detailed report with 27 recommendations.

4.3.2 The AEC's first submission to the JSCEM 2004 election inquiry (submission number 74) provided a copy of the Minter Ellison report to the JSCEM (on a confidential basis) together with a detailed response to the Minter Ellison recommendations. It also identified that a number of those recommendations required legislative amendment.

4.3.3 The JSCEM 2004 Election Report contained 56 recommendations. Recommendations 7, 8, 9, 10 and 11 dealt specifically with improvements to the delivery of postal voting services, and adopted the thrust of many of the Minter Ellison recommendations. The government response to the JSCEM report supported either fully, or in principle, recommendations 7, 8, 9 and 11. Recommendation 10 was not supported. The 2004 recommendations and the actions taken by the AEC are outlined at **Annex 1**.

4.3.4 Improving postal voting services was a priority for the AEC during preparation for the 2007 election. Implementation of improvements to postal voting commenced in 2005 and was in accordance with the government response to the JSCEM report, the agreed Minter Ellison recommendations and legislation. An overview of the changes made by the AEC follows.

- A new tender process was initiated, resulting in the selection of a new postal vote production contractor for the 2007 election.
- There was an increased focus on detailed functional requirement specifications in the contract.
- Considerable emphasis was placed on contract management processes to ensure the timely and effective delivery of postal voting services.
- Three separate trial production runs were undertaken in the lead-up to the 2007 election to test and improve processes.
- The AEC and Australia Post entered into a Memorandum of Understanding related to postal voting delivery arrangements.
- The AEC engaged the services of mail house experts to assist with the tender evaluation, quality assurance during trial productions, and live production.
- A range of enhancements was made to the AEC's Automated Postal Voting Issuing System (APVIS) to ensure best use of Australia Post delivery data.
- The Postal Vote Application (PVA) was revised in a number of ways. Important elements of this revision included providing applicants with information about alternative early voting options, obtaining the applicant's contact information in circumstances where an elector required postal voting materials by a specific date, and obtaining information from the elector about preferred alternative delivery methods (where post was not viable).

Postal Voting at the 2007 Election

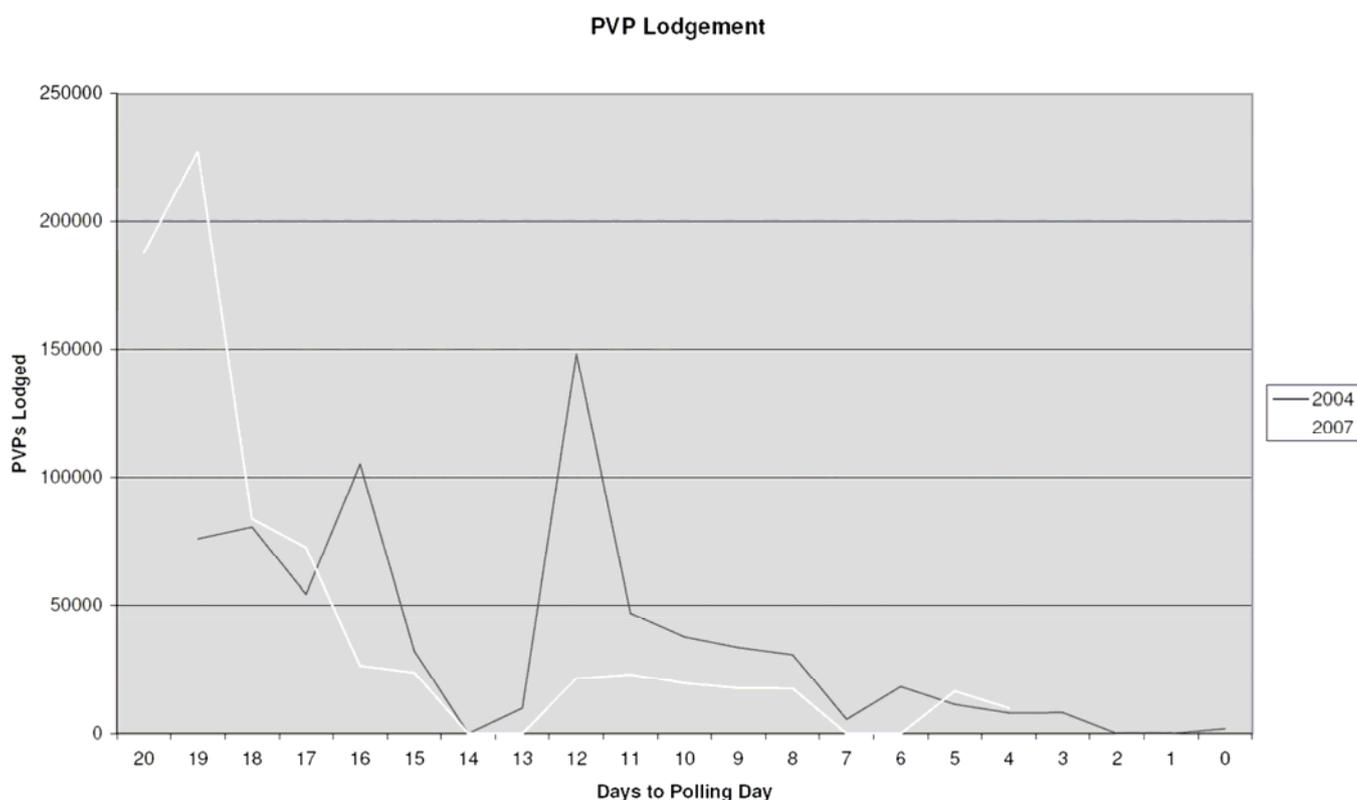
4.3.5 At the 2007 election, the AEC received 833,178 postal vote applications (PVAs). The AEC issued 812,826 postal voting packages (PVPs) from within Australia (the discrepancy between PVAs received and PVPs issued is usually the receipt of duplicate PVAs and other reasons to not issue a PVP). The AEC's central production contractor was responsible for issuing 745,551 of these PVPs, representing an increase of approximately 40,000 from 2004. A further 10,312 PVPs were issued from overseas posts, and the remaining PVPs were issued from AEC divisional offices.

4.3.6 The major issues from 2004 relating to the performance of the postal voting central production contractor were predominantly attributable to slow production exacerbated by management problems and slow correction of errors in the production process. In preparation for the 2007 election, emphasis was focused upon alleviating these issues. The contract for the production of the 2007 election PVPs contained specific production

requirements, including the production of up to 500,000 PVPs by 6 November 2007, and up to 100,000 PVPs each working day after 6 November 2007. This production requirement was met on every occasion. The result was earlier lodgement of PVPs with Australia Post, which allowed for quicker delivery to postal voters. **Table 4.2** below highlights the difference in production output of PVPs between 2004 and 2007.

4.3.7 Another key area of specific improvement related to the management of PVPs damaged in the production process (spoils). This was achieved through a specific service level standard, heightened quality assurance processes throughout production, testing prior to the election and the low overall level of spoils (0.004 per cent of production). The service level standard required the remaking of all spoils on the day they were damaged. This standard was met on all occasions.

Table 4.2 - Lodgements with Australia Post for the 2004 and 2007 elections (Central Print)



4.3.8 A major deficiency in the production of PVPs at the 2004 election was the lack of reporting to the AEC on the status of production by the central contractor. For the 2007 election, each stage of PVP production was tracked electronically. This meant that the AEC was aware of, and could monitor, the status of a particular batch of PVPs. A suite of reports was developed which provided real time information to the AEC project manager on site, as well as being accessible to the AEC's National Office via a web portal. Production data were uploaded daily to the AEC so that the AEC's call centre and

divisional staff could view the status of each voter's request for a PVP, including the date the PVP was lodged with Australia Post.

4.3.9 The 2007 election also saw the introduction of Australia Post delivery information into APVIS. This data was used to determine the method of production that would ensure the best possible chance of a postal voting package reaching the applicant in time to complete and return his or her vote. In 2007, the AEC used three postal vote production methods: central print, local print and hybrid print. Central printing takes place at the premises of the APVIS contractor which could be in a different state to the elector; local printing takes place at the AEC divisional office in which the details of the application are entered into the system; and hybrid printing takes place at another AEC office. APVIS guides the person inputting the PVA details as to which is the most appropriate production method, taking into account the postal vote delivery destination and the proximity to polling day, based on Australia Post mail delivery information.

4.3.10 The initial batches of postal votes were produced by central print and were produced and despatched by the AEC contractor, SEMAGROUP, in Melbourne. Central print is the default method for producing postal votes when delivery times are sufficient to allow timely delivery by Australia Post's published delivery standards.

4.3.11 For local print, the PVP was produced and despatched by the divisional office that received the PVA. Initially this occurred where the postal vote was destined for an overseas address or where the applicant had indicated urgent delivery or delivery by particular means other than Australia Post. In the later stage of the postal voting period, after the date on which Australia Post delivery standards could ensure delivery from the central print site in Melbourne to around Australia, local print became the default.

4.3.12 Where the postcode area of the PVA destination was listed by Australia Post as having irregular mail deliveries (i.e. one or two deliveries per week), special consideration was given to the most reasonable and practical means of delivery. In these cases, hybrid print was often used. This meant that APVIS directed production of the postal vote to the AEC divisional office best placed to arrange the most reasonable and practicable delivery of the postal vote (not necessarily the PVA's "home" division).

4.3.13 Whilst the provision of postal voting services for the 2007 election saw a great improvement on 2004, the AEC wishes to confirm that all relevant recommendations from the Minter Ellison report into the 2004 postal voting issues have been implemented. Consistent with this aim, the AEC engaged Walter Turnbull internal auditors to conduct a review of the AEC's implementation of the Minter Ellison recommendations.

The Impact of "Party" PVAs

4.3.14 The AEC produces PVAs for each election, and makes them available on announcement of the election at AEC offices, Post Offices, and the AEC website. Additionally, the AEC automatically issues 200 PVAs, with AEC

reply paid envelopes, to all federal Members and Senators. Restocking of up to a total of 500 PVAs is allowed on request. On request, PVAs are also provided to independent candidates, and state and territory Members' offices, with an initial issue of 200, and a limit of 500.

4.3.15 Section 184AA of the CEA provides that "an application form for a postal vote may be physically attached to, or form part of, other written material issued by any person or organisation". Political parties and candidates wishing to reproduce PVAs may obtain a camera-ready copy of the approved form from the AEC. It is now common practice for major political parties to undertake large-scale reproduction and distribution of their own version of the official AEC PVAs, typically attached to campaign material. This practice began as a strategy in marginal seats, and has now spread to most divisions. With electors looking for more convenient ways to vote, the proliferation of unsolicited postal vote applications by political parties may lead to electors seeing postal voting as a convenient option, whether or not they are strictly eligible to utilise it. That having been said, the AEC recognises that political parties see the provision of party PVAs to electors as an important and well-established service, and is not arguing for its removal.

4.3.16 However, the more problematical feature of the "party" PVAs is that they generally contain a return address to a local or state based campaign postal address, where the party records the elector's information before the PVA is passed on to the AEC. This gives rise to a number of significant concerns.

4.3.17 First, the way in which the materials have been designed does not always make it clear to the voters that their applications will be returned through party channels. Some materials have in the past been produced bearing the Commonwealth coat of arms; other materials have been accompanied by a reply paid envelope addressed to the Returning Officer", but with a post office box number of the party rather than the AEC.

4.3.18 Situations in which postal vote applications are channelled through political parties are clearly covered by section 197 of the CEA, which provides as follows:

"Failure to post or deliver postal vote application etc.

A person to whom an elector entrusts:

- (a) an application for a postal vote; or
- (b) an envelope apparently containing a postal ballot-paper;

for posting or delivery to an officer shall post or deliver the application or envelope, as the case may be, as soon as practicable.

Penalty: \$1,000."

4.3.19 In the light of this clearly stated requirement, the AEC views with concern the delays associated with the handling of PVAs when they are returned to the AEC by voters through party channels. **Table 4.3** compares the gap between the date of the witness's signature and receipt by the AEC for PVAs lodged directly with or sent directly to the AEC, with PVAs are channelled via a party, for all postal vote applications received by the AEC from and including 5 November 2007 to and including 22 November 2007.

Table 4.3 – PVAs received from and including 5 November 2007 to and including 22 November 2007 - period between witness signature and receipt of PVA

	AEC	Labor	National	Liberal*	Other
Same Day	28,186	1,377	355	1,303	324
1 day later	37,089	3,828	844	2,499	323
2 days later	28,534	5,204	976	4,364	242
3 days later	22,575	5,155	1,083	5,305	273
4 days later	17,770	4,886	1,046	6,380	287
5 days later	11,368	4,055	823	6,686	273
6 days later	6,638	3,531	623	5,748	175
7 days later	4,331	3,045	448	4,547	81
8 days later	2,485	1,956	226	3,007	73
9 days later	1,428	1,237	177	1,829	26
10 days later	1,155	1,080	128	1,535	29
11 days later	922	882	114	1,119	21
12 days later	743	694	87	846	34
13 days later	678	653	95	726	26
14 days later +	5,395	5,740	543	4,869	108
Total	169,297	43,323	7,568	50,763	2,295
% of Count of Application					
Same Day	17%	3%	5%	3%	14%
1 day later	22%	9%	11%	5%	14%
2 days later	17%	12%	13%	9%	11%
3 days later	13%	12%	14%	10%	12%
4 days later	10%	11%	14%	13%	13%
5 days later	7%	9%	11%	13%	12%
6 days later	4%	8%	8%	11%	8%
7 days later	3%	7%	6%	9%	4%
8 days later	1%	5%	3%	6%	3%
9 days later	1%	3%	2%	4%	1%
10 days later	1%	2%	2%	3%	1%
11 days later	1%	2%	2%	2%	1%
12 days later	0%	2%	1%	2%	1%
13 days later	0%	2%	1%	1%	1%
14 days later +	3%	13%	7%	10%	5%
Total	100%	100%	100%	100%	100%
* includes Country Liberal Party					

4.3.20 Looking at the data another way, the AEC received 69 per cent of AEC-sourced PVAs on the date of the witness's signature, or on one of the next three days. For the two major parties, only 27 per cent of Liberal sourced PVAs and 36 per cent of Labor PVAs were received within four days.

4.3.21 Delays in receiving a PVA can be attributed to a number of factors, including delays in postal services, a delay between when the elector had the PVA witnessed and when he or she posted the PVA, or a delay caused by the additional process for party PVAs. While it is impossible to determine conclusively which factors were at work in each case, these figures show markedly higher delays for party PVAs compared to those delivered directly to the AEC. People in good faith complete party source PVAs and expect the material to arrive in a few days. There is concern that the additional days waiting for the PVP to arrive means some people are getting their material too late and unable to exercise their franchise. Alternatively some electors may be going to extraordinary efforts to vote by other means when delays in the delivery of their PVP provides them uncertainty as to whether a voting opportunity by post ultimately be available.

4.3.22 The AEC is also aware of cases in which party workers who have received applications have taken it upon themselves to “correct” some of the data provided by the voters. Such a practice is at the very least improper. When it became aware of such occurrences in 2007 the AEC wrote to the parties requesting that campaign staff be instructed to cease making such “corrections”, and, in accordance with section 197 of the CEA, to pass the postal vote applications received to the AEC as soon as practicable. The AEC knows that this is a sensitive issue but for the reasons mentioned above - speed, efficiency, and integrity of the process - is of the view that all postal vote applications should be returned directly to the AEC.

Recommendation 6: The AEC **recommends** that the CEA be amended to require “party” PVAs to be returned directly from the elector to the AEC.

4.4 The continuing increase in declaration voting

4.4.1 The intention of declaration voting is to allow all eligible electors the opportunity to vote, even if the electors are away from their division on polling day or otherwise unable to cast an ordinary vote. Declaration votes were originally intended as an exception to ordinary voting, and only to be used in certain circumstances. The circumstances are limited for each type of declaration vote, and are explicitly spelt out in the CEA. The circumstances for casting a provisional vote and the definition of an absent vote are summarised at **paragraph 4.1.2** above.

4.4.2 The circumstances in which an elector is entitled to a postal or a pre-poll vote are specified in Schedule 2 to the CEA. In general terms, an elector is only entitled to a postal or a pre-poll vote if:

- (i) the elector will be outside his or her state or territory on polling day;
- (ii) the elector will be eight kilometres or more from the nearest polling booth on polling day;
- (iii) on polling day the elector will be travelling and unable to attend a polling booth;

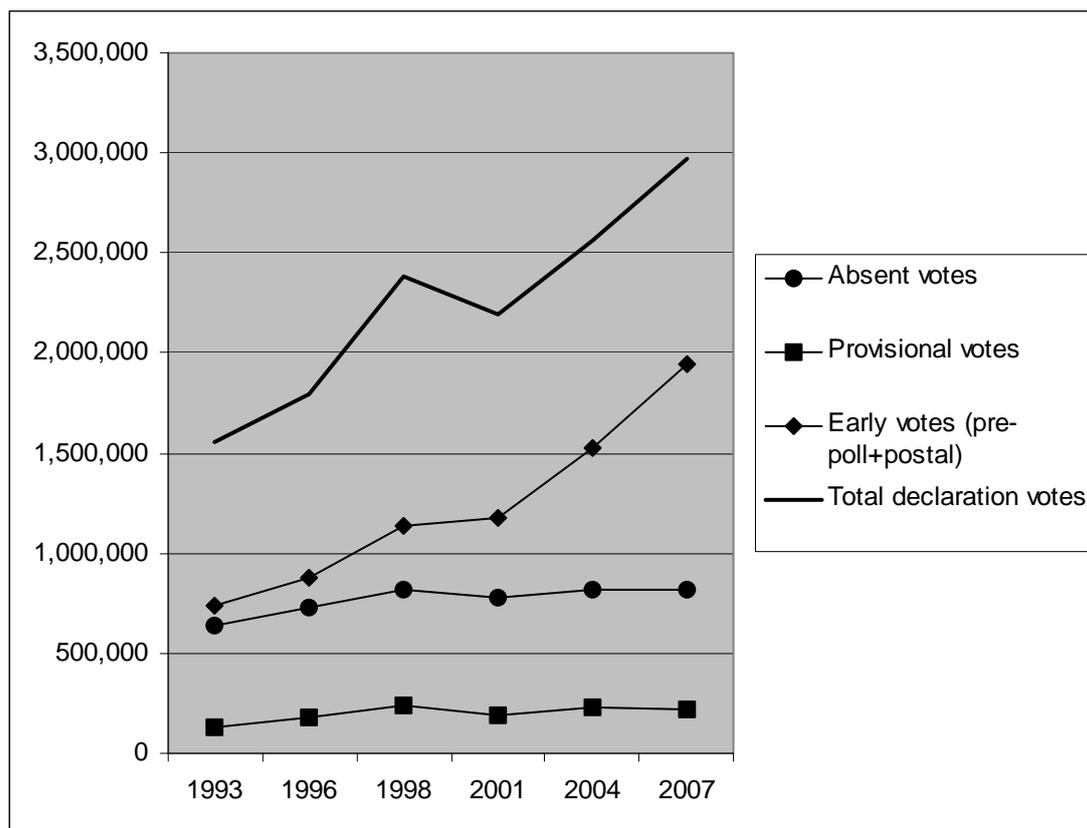
- (iv) the elector is seriously ill, infirm or approaching childbirth;
- (v) the elector is caring for someone who is seriously ill, infirm or approaching childbirth;
- (vi) on polling day the elector will be a patient at a hospital and unable to vote at the hospital;
- (vii) due to religious beliefs the elector will be unable to attend a polling booth on polling day;
- (viii) on polling day the elector will be serving a sentence of imprisonment or detention;
- (ix) the elector is a "silent" elector; or
- (x) on polling day the elector will be at his or her place of employment and will be unable to leave to vote.

4.4.3 The CEA does not require the AEC to ask electors seeking an early vote to specify the category of entitlement by which they are covered.

4.4.4 Over the past 15 years there has been a significant shift in the way in which Australian voters cast their votes, with a marked increase in declaration voting, and in particular early voting, at successive federal elections including the most recent election. The most marked increase occurred in early votes: from 1993 to 2007 the utilisation of pre-poll voting increased by 294 per cent, while the utilisation of postal voting increased by 230 per cent. Over 2.9 million declaration votes were cast for the 2007 election, comprising 22.2 per cent of all votes. Declaration votes issued have increased approximately 27 per cent since the 2004 federal election.

4.4.5 **Table 4.4** below shows the increase in declaration votes issued since the 1993 federal election. For a breakdown of the increase in declaration voting from 2001 to 2007 on a state-by-state basis please see **Annex 4, table A4.11**.

Table 4.4 - Total declaration votes issued 1993 to 2007



Possible reasons for an increase in declaration voting

4.4.6 It has been suggested in the past that school holidays have played a significant role in influencing the number of electors who cast declaration votes. The election periods in 1998 and 2004 did coincide with school holidays in many parts of Australia, and this may account for the peaks in declaration voting at those elections. However, the trend has now been sustained over such a length of time that school holidays by themselves no longer provide a complete explanation for the increase in declaration voting.

4.4.7 Other factors that may contribute to the increase in declaration voting are detailed below.

- Changing patterns of work. With a growth of employment in service industries, more electors may find it difficult to attend polling places between 8a.m. and 6p.m. on a Saturday.
- Widespread distribution of postal vote applications by political parties during the election campaign.
- Increased mobility of electors.
- An increasing public demand for flexible and convenient service delivery.

- As more electors have become aware of the convenience of early voting they are both “spreading the word” and continuing to do so over repeated electoral events. A larger proportion of voters are becoming repeat declaration voters.
- An ageing population is resulting in higher numbers of General Postal Voters.
- The increase in the number of electors on the roll means that even if the proportion of electors who cast a declaration vote remains steady, the absolute number of declaration votes will increase with the roll.
- As discussed above, the CEA makes no provision for the AEC to challenge an elector’s claim to a postal or pre-poll vote or to ask under which category the elector qualifies.
- Party workers are also sometimes seen campaigning outside early voting centres, encouraging passers by to vote with no mention of entitlement.

4.4.8 It is worth noting that there is something of a trend discernable within established democracies towards the diversification of the normal ways in which a vote can be recorded, though in the main this appears to have been driven by concerns about falling turnout at elections. This consideration is of less relevance to Australia due to compulsory voting.

Consequences of the increase in declaration voting

4.4.9 The trend of increasing declaration votes has a number of inevitable consequences for counting processes. Declaration vote scrutinies are inherently much more complex than ordinary vote scrutinies, involving as they do the initial process of preliminary scrutiny to confirm the eligibility of the voter to have his or her vote counted. The complexity of declaration vote scrutinies is reflected in Schedule 3 to the CEA, a copy of which is set out at **Annex 6**. While the AEC has sought to automate the process for deciding on the admission or rejection of declaration votes to the greatest extent possible, the task of capturing data from declaration envelopes is still a substantial one.

4.4.10 The counting of ordinary votes at polling places is a relatively straightforward process, which is undertaken on election night with the involvement of the large number of polling officials (around 70,000 at the 2007 election) who have been employed for the day. Declaration vote scrutinies are time consuming. The preliminary scrutiny of declaration votes has to be managed by AEC divisional office staff, supplemented by experienced casual employees, over the 13 day period following polling day. It should be noted that once a declaration vote has gone through preliminary scrutiny the ballot papers are still required to go through the normal count and fresh scrutiny processes. The need to process increasing numbers of votes in such a way has direct cost and timeliness implications.

4.4.11 The increasing use of declaration voting, and the corresponding reduction in the number of votes which can be counted on election night, increases the probability that in a close election, the result will not become clear for several days, possibly later in the first week after polling day after the declaration vote exchange has been completed.

4.4.12 The shift in public behaviour from an overwhelming reliance on ordinary voting to what is now a very substantial use of declaration voting has taken place incrementally, and that has tended to obscure the significance of the change. The Australian system has reached the point where more than one in five votes in a federal election is a declaration vote. In fact, with close to 2 million votes being cast before polling day in 2007 (either at early voting centres, or through the post), it is now misleading to conceive of an election as taking place on a single polling day: there is, in fact, a polling period. This has practical implications for a range of players, including political parties trying to configure their campaigns. There is, moreover, a tension between the current provisions of the CEA (which still see postal and pre-poll voting as an exceptional arrangement designed to cater for specific categories of voters), and the reality on the ground.

4.4.13 The AEC will continue to seek ways to streamline the declaration vote counting process, including the possible use of optical character recognition and PDA technology to expedite preliminary scrutines. The AEC does not, however, believe that the use of enhanced technology will be able to circumvent fully the problems discussed above, especially if the use of declaration voting continues to increase.

Options for the future

4.4.14 The electoral system is at a point where action must be taken. The AEC can see three options for the future. Firstly, the parliament can accept that there now exist two normal forms of voting and implement an effective and efficient way of administering this within the electoral system.

4.4.15 There are some obvious advantages to the first option of embracing the change in the way in which people are voting. This would recognise that there are two normal ways of voting, and explicitly open up early voting to any Australian who wishes to cast a postal or pre-poll vote. It may initially appear as though moving away from the idea that an election is an event that occurs on one day to an event that occurs over a period of days is a paradigm shift in the electoral system. However, for all intents and purposes it has already taken place, albeit incrementally and with the (tacit) support of the political parties. Early voting in practice is already available to all Australians who declare they are eligible under Schedule 2 to the CEA to have an early vote, because the relevant provisions of the CEA relating to the issuing of postal and pre-poll votes (respectively subsections 188(1) and 200E(1)) give the AEC no power to question the applicant's eligibility, and require the relevant official to issue the vote. By acknowledging this change and providing appropriate resources, the AEC would be better able to respond to the needs of a changing Australian society and engage electors in the system.

4.4.16 In addition, there is an opportunity to embrace efficiency. Currently, the AEC is limited in technical resources to efficiently process large numbers of declaration votes in the post polling day period. The AEC is continuing to investigate more innovative methods of processing these votes, such as shift work and workload sharing between offices. As voting trends emerge, the AEC would be able to more effectively target resources by taking advantage of fewer resources focused on one polling day, and directing those resources into areas such as pre-poll voting centres and postal votes. One option for improving efficiency in the declaration vote process would be to issue pre-poll votes cast in the elector's home division as ordinary votes. This option is discussed below at **part 4.5**.

4.4.17 The second option is that, the Parliament may decide that the shift to early voting has increased to unacceptable levels, and that such a shift is not acceptable in the Australian electoral system. If this were the case, the CEA would need to be amended to define the evidence which voters would have to produce to establish their eligibility for an early vote in terms of Schedule 2 to the CEA, and to empower the relevant polling officials to refuse to issue a vote. This would represent a major deviation from past practice in living memory.

4.4.18 There are advantages in limiting early voting, and attempting to revert to having one usual way of voting in an election. Ordinary votes are viewed as a transparent way of administering an election. Ordinary voting can protect the rights of individual electors by providing a public forum for the casting of votes, where each elector is able to vote in a private compartment under the supervision of the AEC. The traditional aspects of Australians voting together on the Saturday, and then seeing the count come in later that evening, are an historical part of Australian elections. However, there is a real risk of frustrating and disenfranchising Australian electors if due attention is not paid to their preference for convenient voting options. This would be especially the case if electors have become accustomed to voting by pre-poll or post at several elections, only to be refused an early vote at future elections because they are not strictly eligible.

4.4.19 The third option is to do nothing. In the AEC's view such an approach would in effect make the shape of Australian elections subject to unpredictable trends, almost certainly resulting in the system becoming outdated and inefficient. If the current trends continue at the rate we saw at the 2007 election then Australia will soon be faced with an election where the "ordinary" way of voting does not meet the needs and expectations of a large segment of the voting community. The system will become increasingly difficult to administer as the AEC encounters a growing number of declaration votes and the associated extra cost and time needed for the count. In a close election with a large number of declaration votes, Australia could experience a situation where the result of the election is not known for over a week after polling day due to the extra time taken for the count.

Recommendation 7: The AEC **recommends** that the JSCEM consider the implications of the trend towards an increase in early voting, and move to mitigate the impact of the trend by adopting the recommendations in this submission.

4.5 Ordinary pre-poll voting

4.5.1 At the 2007 federal election around 38 per cent of declaration votes were pre-poll votes. “Home pre-polls” (pre-poll votes issued by a division for that division) made up around 60 per cent of all pre-poll votes (667,625 votes). This accounts for a significant 5 per cent of all votes cast in the 2007 election. Further, there were even more dramatic rises in pre-poll votes in some divisions. For example, the Division of Gorton saw an increase from 5,600 pre-poll votes issued in 2004 to 13,495 in 2007. Similarly, the increase in the Division of McMillan was from 5,483 in 2004 to 12,707 in 2007.

4.5.2 As a strategy to deal with the increasing numbers of declaration votes, particularly early votes, the AEC proposes allowing those voters who qualify for a pre-poll vote to be able to cast an ordinary vote, instead of a declaration vote, if they attend a pre-poll centre in their home division prior to polling day.

4.5.3 To cast an early vote under the current process, an elector is issued with the relevant ballot papers for his or her state and division, and the marked ballot papers are sealed in a declaration envelope. This envelope is completed with the elector’s name and enrolled address details, signed and witnessed.

4.5.4 Early voting centres usually have one or more ballot boxes for “home” division pre-poll votes, a sealed ballot box for intrastate pre-poll votes and, depending upon the proximity of the early voting centre to a state border, one or more ballot boxes for interstate pre-poll votes. After the close of polls on polling day, a complete reconciliation is made of all pre-poll votes issued by the early voting centre. Pre-poll votes are sorted according to the division for which the elector claims enrolment, and exchanged with other divisions where necessary.

4.5.5 All pre-poll votes must then go through preliminary scrutiny in order to determine whether the elector can be marked off the roll. Only then can the declaration certificate envelope be opened and the ballot papers counted. It can take approximately six to twelve days for all pre-poll votes to pass through preliminary and further scrutiny processes and for the ballot papers to be counted. This includes home pre-poll votes, which usually represent the majority of pre-poll votes received by a division.

4.5.6 Under the AEC’s proposal, pre-poll votes would be issued as ordinary votes for electors voting at a divisional office or early voting centre located within the division for which they are enrolled.

4.5.7 Provided the elector’s name was found on the certified list for the home division, it would be marked off as in an ordinary polling place and he or she

would be issued with ballot papers. The completed ballot papers would be placed in a ballot box. They would not be placed in a declaration envelope.

4.5.8 For electors whose names could not be found on the certified list, and for electors voting at a divisional office or early voting centre located in a division other than the division for which they are enrolled, pre-poll votes would continue to be issued as declaration votes as per the existing process (see **paragraph 4.5.3**).

4.5.9 At the close of each day, the ballot boxes remain sealed and all votes issued reconciled. While declaration votes, including pre-poll votes from other divisions, would still go through the preliminary scrutiny process, ordinary pre-poll votes could begin to be counted after 6p.m. on polling day.

4.5.10 At the 2007 election approximately 80 per cent of votes were counted after 6p.m on polling day. If home pre-poll votes were counted as ordinary votes, then more than 85 per cent of the vote would have been counted after 6p.m. on polling day at the 2007 election. This obviously would have resulted in a larger number of votes being counted on election night and included in the reported results, and might have resulted in the public knowing the outcome of a number of close seats on election night.

4.5.11 A second advantage associated with ordinary pre-poll votes in home divisions is the fact an elector would be immediately marked off the certified list of voters for his or her home division. The consequence of this is a reduction in the time delay associated with processing declaration votes through the preliminary scrutiny to verify eligibility.

4.5.12 A third advantage of ordinary pre-poll votes in home divisions is a reduction in the administrative load and the costs associated with the issuing, sorting and collating of declaration votes.

4.5.13 A further advantage is that the AEC can already be confident of successful implementation of ordinary pre-poll voting in home divisions. Issuing ordinary votes before polling day is already being successfully implemented at the federal level under the CEA in relation to mobile polling. Additionally, the practice of issuing home pre-polls as ordinary votes has successfully been in use at the state and territory level for many years. For example, Victoria introduced pre-poll ordinary voting at the 1996 Victorian state election. The result was a significant reduction in the number of declaration votes issued, the faster finalisation of election results, resource savings and reduced staff expenditure. Queensland, Tasmania, the Northern Territory and the Australian Capital Territory have also adopted this practice.

4.5.14 It should be noted that the JSCEM Report on the 1996 Election stated that a reason to reject the proposal for ordinary pre-poll votes in the home division is the perception that it might encourage pre-poll voting and that as a matter of principle, an ordinary vote should only be available when voting in the home division on polling day. However, given there has been a 294 per cent increase in pre-poll voting since 1993 it is clear that without any encouragement, the electorate already sees this style of voting as one of increasing suitability and relevance to their circumstances.

4.5.15 The AEC is of the view that the idea that allowing ordinary voting would encourage electors to vote early where they otherwise would not is incorrect. Although the time taken for voting may be reduced by a few minutes, voters must still seek out and present themselves at an early voting centre. With electors voting in federal elections approximately every three years, the reality is they are unlikely to remember the issuing process in detail from one election to the next. As such, they are unlikely to find ordinary pre-poll voting in home divisions any more or less convenient than previously.

4.5.16 As discussed in **part 4.4**, it is clear that the idea of ordinary voting on polling day as the only normal way for electors to vote is out of step with the reality of the electoral system today. In light of the significant increase in declaration voting, particularly over the past two elections, it would appear that for most electors, the catalyst for early voting is not related to the issuing process but to the convenience of being able to vote in the period in the lead up to the election. This is proven by the fact that declaration voting is prevalent and has steadily increased over time despite the fact that the process is usually more complex and time consuming. If the aim is to control the increase in declaration voting there are more direct and efficient ways of doing this than by not allowing ordinary pre-poll voting in the home division.

4.5.17 The AEC notes in reference to this issue that the Liberal Party in its submission to this inquiry states that it would “support any review of the current arrangements and, in particular, any proposal that would change the arrangement for pre-poll votes so that these votes are counted on the evening of election day”. The Australian Labor Party in its submission to this inquiry states that “voters using pre-poll should have their vote ‘ticked of the roll’ when they vote, making the counting of the vote much more efficient.” The comments from both parties appear to demonstrate broad in-principle agreement with the recommendation stated below.

Recommendation 8: The AEC **recommends** that the CEA be amended to allow those voters who qualify for a pre-poll vote to be able to cast an ordinary vote, instead of a declaration vote, if they attend an early voting centre in their home division.

4.6 Provisional voting

4.6.1 The circumstances in which a provisional vote may be cast are outlined at **paragraph 4.1.2** above.

4.6.2 Between the 2004 and 2007 elections, two amendments were made to the CEA which had a significant impact on the scrutiny and admission of provisional votes. These were the requirement for provisional voters to provide POI either on polling day, or in the week after polling day, and changes to the admissibility of votes cast by persons who had been removed from the roll on the basis of non-residence. The impact of these changes is discussed below.

Proof of identity for provisional votes

4.6.3 Items 71 and 72 of Schedule 1 to the *Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Act 2006* amended section 235 of the CEA, inserting the following subsections:

“(1B) A person to whom this section applies (other than a person to whom subsection 104(4) applies) may cast a provisional vote on the polling day for an election if the person provides the evidence of the person’s identity that is required by the regulations either:

- (a) at the time the person casts the provisional vote; or
- (b) by the first Friday following the polling day.”,

...

(9) If regulations are made to implement a requirement of subsection (1B) in relation to identification for provisional voting, the regulations must require the person claiming to vote to provide documentary evidence of the person’s name by showing either of the following to an officer:

- (a) the person’s driver’s licence;
- (b) a prescribed kind of document that identifies the person.

(10) The regulations may impose additional requirements in relation to identification for provisional voting.”.

4.6.4 These essentially self-explanatory amendments to section 235 of the CEA were supplemented by regulation 39B of the *Electoral and Referendum Regulations 1940* (the Regulations), which now provides as follows:

“(1) A person who wishes to cast a provisional vote on polling day or voting day must:

(a) at the time the provisional vote is cast, show to an officer:

- (i) the original of his or her driver’s licence; or
- (ii) an original document of a kind set out in Schedule 3; or

(b) by close of business on the first Friday following the polling day or voting day, show to an officer:

- (i) an original or attested copy of his or her driver’s licence; or
- (ii) an original or attested copy of a document of a kind set out in Schedule 3.

(2) A provisional vote cast in accordance with paragraph (1) (b) is taken not to be valid unless the person shows to an officer:

- (a) an original or attested copy of his or her driver's licence; or
 - (b) an original or attested copy of a document of a kind set out in Schedule 3; by close of business on the first Friday following the polling day or voting day.
- (3) The classes of electors who can attest to a copy of:
- (a) a person's driver's licence; or
 - (b) a document of a kind set out in Schedule 3;
- are set out in Schedule 2.”.

4.6.5 Schedules 2 and 3 to the Regulations list the persons who may attest a document for the purpose of confirming the identity of a provisional voter, and the documents that provisional voters can use to prove identity. These Schedules are reproduced at **Annex 7**.

4.6.6 At the 2007 election, approximately 167,500 provisional votes were cast. Approximately 75 per cent of provisional voters showed evidence of identity when voting. Of those that did not provide evidence of identity when voting on polling day, approximately 20 per cent provided it by the cut-off of close of business on the first Friday following polling day (30 November 2007). Approximately 80 per cent, of voters who did not provide POI when voting on polling day did not provide it at all. The result is that over 27,000 votes were rejected at preliminary scrutiny because an elector did not provide proof of identity.

Table 4.5 - POI not provided on polling day for provisional votes 2007*

POI not provided on polling day		
State/Territory	POI provided by the 30 November	POI not provided by the 30 November deadline
NSW	1,245	6,739
VIC	1,502	6,490
QLD	1,430	6,258
WA	1,350	4,266
SA	664	2,456
TAS	108	737
ACT	33	185
NT	40	398
TOTAL	6,372	27,529

*Note: “Silent” electors are not required to show evidence of identity, and so statistics relating to them are not included.

4.6.7 **Table 4.5** above shows the numbers of provisional voters who did not provide POI on polling day, those who (a) provided POI after polling day but before the 30 November 2007 cut-off, and (b) POI not provided by the 30 November deadline.

4.6.8 The requirement for proof of identity for provisional voters gives rise to a range of paradoxes and anomalies.

- It is possible for a voter to be required to provide evidence of identity (and to be disenfranchised if he or she fails to do so) even when his or her name is, in fact, printed on the certified list. This can happen if the voter's name cannot be found on the certified list by the polling official (for example, if the voter's name is spelt unusually, or if an error has been made by the AEC in entering that person's name onto the electoral roll).
- It is possible for a voter's provisional vote to be rejected on the ground that proof of identity has not been provided even if the AEC has been able to match the voter's signature on the declaration vote certificate with the signature on the voter's most recent electoral enrolment form.
- A voter who casts a provisional vote, and whose provisional vote is rejected at preliminary scrutiny only because he or she has not provided documentary proof of identity would, in general, have had his or her vote counted, without providing such documentary proof of identity, if he or she had cast an absent, postal or pre-poll vote rather than a provisional vote. This is a clear inconsistency, and there seems no logical reason why provisional votes should be treated differently to other declaration votes in regard to any proof of identity requirement.

4.6.9 The requirement for proof of identity for provisional voters was inserted in the CEA pursuant to recommendation 25 set out at paragraph 5.101 of the JSCEM 2004 Election Report. The JSCEM's consideration of the issue appears to have flowed from a perception in some quarters that the result in the division of Richmond in 2004 may have been affected by a significant increase in provisional voting. In fact the numbers of electors having a provisional vote at the 2001 and 2004 elections for the division of Richmond were similar. The motivation for the recommendation seems to have been a perceived need to reduce or eliminate the alleged potential for fraud associated with provisional voting. Neither the Report, nor the Submission (No. 92) cited in the Report in support of the recommendation, nor the oral evidence similarly cited, provided evidence of a single instance of such fraud.

4.6.10 As the legislation stands:

- it places an additional requirement in the way of voting by provisional voters, requiring persons who do not happen to have an identity document with them at the polling place to go through a post-polling day process of proof of identity which many might find inconvenient, burdensome, or (if the election result is already clear) pointless;

- in particular, it can inconvenience, and disenfranchise, persons who are correctly enrolled, but whose names are not found on the certified list because of polling official error;
- it can disenfranchise a voter even when it is within the capacity of the AEC to compare the information on the declaration envelope with that on the voter's electoral enrolment form to seek confirmation of his or her identity; and
- it provides no substantial protection against alleged, but unsubstantiated, systematic fraud of the type referred to in the JSCEM 2004 Election Report, for the reason outlined at **paragraph 4.6.8** above.

4.6.11 In the AEC's view, it is indefensible that voters may be put to significant inconvenience, and possibly disenfranchised, purely as a result of polling official error. In addition, a process that prevents the counting of a vote cast by a person whose identity can reasonably be confirmed by reference to AEC records does not follow the established electoral principle that the elector's franchise should be protected wherever possible. Finally, the loophole identified in **paragraph 4.6.8** could only be eliminated by requiring all declaration voters to provide proof of identity, which, given the scale on which declaration voting has been used at recent elections, would be likely to have a major impact on the admission of declaration votes, and on the smooth and efficient running of polling places and early voting centres. Given there has been no substantiated evidence of any systemic fraud in regard to declaration votes, the AEC is of the view that there is a strong case for the removal of the proof of identity requirement in provisional voting.

Recommendation 9: The AEC **recommends** that the requirement for production of identity documents by provisional voters should be repealed.

Electors removed from the roll by objection on the ground of non-residence

4.6.12 At the 2007 Senate election, there were 42,162 Senate votes counted nationwide from provisional votes admitted at preliminary scrutiny, out of a total of 167,682 provisional vote envelopes processed, an admission rate of 25.14 per cent. These figures may be compared with those from the 2004 Senate election, at which there were 112,560 Senate votes counted nationwide from provisional votes admitted at preliminary scrutiny, out of a total of 180,878 provisional vote envelopes processed, an admission rate of 62.23 per cent. Had the 2004 admission rate prevailed in 2007, an additional 62,186 votes would have been counted. The AEC is concerned that, in comparison to 2004, there was a significant increase in the number of provisional votes excluded at provisional scrutiny.

4.6.13 The preliminary scrutiny of declaration votes involves a whole series of checks, which are implemented sequentially in relation to each vote. While records are kept of the reason which led to the rejection of a vote, these reflect the first reason for rejection encountered, rather than all possible reasons for rejection. This means, for example, that if a provisional voter has

not provided proof of identity, that will be identified as the reason for rejection, and the fact that the voter may also never have been on the roll will not come to light. It is therefore not possible to provide a breakdown of the statistics in **paragraph 4.6.12** above which gives a meaningful picture of the relative significance of the different possible reasons for the rejection of a vote.

4.6.14 At the 2004 election, the applicable provisions of paragraph 12 of Schedule 3 to the CEA permitted a provisional vote to be accepted for counting if the Divisional Returning Officer was satisfied:

- “(a) that the elector who signed a certificate or declaration on the envelope is not enrolled for the Division; and
- (b) after making enquiry:
 - (i) that the elector was, at the time of voting, entitled to be enrolled for the Division; and
 - (ii) that the omission of the elector’s name from the Roll for the Division was due to an error made by an officer or to a mistake of fact.”.

4.6.15 Of particular significance was the possibility of counting a provisional vote where the omission of the voter from the roll was due to a “mistake of fact”. In practice, this meant that if an elector casting a provisional vote who had been removed from the roll by objection action on the ground of non-residence claimed still to be resident in the division, and claimed that the objection had been based on a mistaken belief that he or she was no longer resident at his or her address, the provisional vote would be counted.

4.6.16 In relation to the removal of persons from the electoral roll by objection based on non-residence, Item 96 of Schedule 1 to the *Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Act 2006* amended paragraph 12 of Schedule 3 to the CEA, adding the following word and sub-paragraph:

- “; and (iii) that the omission was not attributable to subsection 118(4A).”.

4.6.17 The effect of that amendment was that if a person had been removed from the roll by objection action on the ground of non-residence at a particular address, a declaration vote (provisional, absent, postal or pre-poll) subsequently cast by the person would be rejected at preliminary scrutiny. The amendment was not one which had been recommended by the JSCEM in its 2004 Election Report.

4.6.18 It is important, when considering the policy questions which arise from this amendment, to focus on a number of key considerations.

- The right to vote is a fundamental one, which has a basis in sections 7 and 24 of the Constitution. The extent and nature of the basis of that right is touched upon by the High Court of Australia in the 2007 case of *Roach v. Electoral Commissioner and Another* (2007) 239 ALR 1, discussed at **Annex 3, paragraph A3.2.10**.

- Notwithstanding the centrality of the roll to the modern electoral process, the roll is not an end in itself, but rather one of a number of tools devised to be used by electoral officials as an efficient and effective way of deciding who should and should not be entitled to record a vote.
- The very existence of provisional voting constitutes a recognition that the absence of a person's name from the roll cannot provide a final and definitive answer to the question of whether that person should be permitted to vote.

4.6.19 The AEC considers that the inherent difficulties in knowing the addresses of over 13 million voters with complete accuracy, within the framework of a system which at no stage requires electors to provide proof of residence, means that it is important that provisional voting operates as an effective safety net to protect the franchise of individuals who may have been removed from the roll in good faith and through due process, but on the basis of a mistake of fact.

4.6.20 In neither of the cases mentioned below, will the voter be automatically reinstated to the roll: he or she will have to re-enrol through the normal enrolment process. In such circumstances the AEC will work proactively to encourage the voter to re-enrol through providing them with an enrolment form and putting them on a list of electors to follow up in one month with action involving CRU activities including mail, phone or door knocking.

Recommendation 10: The AEC **recommends** that the 2006 amendment set out at **paragraph 4.6.14** above be repealed, and that the CEA provide that where a declaration voter has been previously removed from the roll by objection action on the ground of non-residence, then:

- (i) if his or her address at the time of voting is within the division for which he or she was previously enrolled, his or her House of Representatives and Senate votes will be counted; but
- (ii) if his or her address at the time of voting is in a different division in the same state/territory, his or her Senate vote will be counted, but his or her House of Representatives vote will not be counted.

4.6.21 The AEC will work proactively to encourage the voter to re-enrol through providing them with an enrolment form and putting them on a list of electors to follow up in one month with action involving CRU activities including mail, phone or door knocking.

4.7 Mobile Polling

4.7.1 In particular circumstances, the CEA provides for the AEC to appoint mobile polling teams to visit electors to collect votes. Mobile polling can take place in a special hospital as defined under the CEA, in remote divisions, and in prisons. **Table 4.6** lists the numbers of special hospital polls, prison mobile

polls and remote mobile polling locations at the 2004 and 2007 federal elections.

Table 4.6 - Mobile polls by state and territory 2007

	2004 Federal Election			2007 Federal Election		
	Special Hospital Teams	Prison Mobile Teams	Remote Mobile Polling Locations Visited	Special Hospital Teams	Prison Mobile Teams	Remote Mobile Polling Locations Visited
NSW	140	4	0	133	1*	9
VIC	88	1	0	91	1	0
QLD	82	0	19	88	0	23
WA	56	9	52	55	9	72
SA	52	0	33	51	7	32
TAS	17	0	0	17	4	0
ACT	4	1	0	5	1	0
NT	6	2	288	6	2	255
Total	445	17	392	446	25	391

Figures for Special Hospitals and Prisons are *Teams* and are *Locations Visited* for Remote Mobile Polling.

*Note: While the AEC was not able to visit most prisons in NSW, one team did visit a juvenile justice facility.

Prison Mobile Polling

4.7.2 The AEC policy is that where possible, mobile polling should be conducted in prisons where there is more than ten eligible electors. Prior to the election, each state and territory AEC office contacted the Department of Corrective Services in its state or territory to discuss the provision of voting services to prisoners. Responses varied from state to state. The Departments of Corrective Services in New South Wales and Queensland did not permit mobile polling units in any prisons, for security reasons. As an alternative, the AEC provided postal voting information and applications to the affected prisons for the information of prisoners. In other states, there were individual cases where prison management did not allow the AEC to conduct mobile polling in certain prisons, again for security reasons. In these instances the AEC provided postal voting information and applications.

4.7.3 In 2007, the AEC visited 25 institutions (prisons and remand centres). 208 ordinary votes and 609 declaration (absent or provisional) votes were issued, as set at **table 4.7**.

Table 4.7 - Votes issued by prison mobile polling teams at the 2007 Election*

State / Territory	Ordinary Votes	Declaration Votes
NSW	0	0
VIC	1	37
QLD	0	0
WA	102	342
SA	10	64
TAS	10	38
ACT	7	7
NT	78	121
TOTAL	208	609

*Note: Figures for postal votes cast by prisoners are not available.

Remote mobile polling

4.7.4 The AEC undertakes mobile polling in remote parts of Australia. In 2007, mobile polling took place in remote areas of New South Wales, Queensland, Western Australia, South Australia and the Northern Territory. Under the CEA, remote mobile polling may take place up to twelve days before polling day. Remote mobile teams travel along set routes, usually over a number of days, to a series of communities, towns and stations. Due to the small number of votes collected at a number of locations, votes are counted by team to protect anonymity.

4.7.5 In 2007, the AEC provided remote mobile polling services at 391 locations and issued 20,277 votes. Remote mobile polling was provided for the first time in the divisions of Calare in New South Wales, and Kennedy in Queensland. In 2006 the AEC implemented a new initiative, the North and Central Australia Remote Area Strategy (NACARAS). NACARAS and public awareness in remote areas are discussed in more detail at **Annex 5**.

4.7.6 Remote mobile teams for the 2007 election provided extended services to electors. Remote mobile polling teams were gazetted as pre-poll voting centres, allowing remote mobile polling teams to issue interstate votes. This service was initially trialed at the 2004 election by four Northern Territory remote mobile polling teams that travelled close to interstate borders. This service is aimed at providing voting facilities to the growing number of interstate tourists (including those sometimes referred to as “grey nomads”) who may have an expectation that they are able to vote at any polling place. Unlike interstate tourists in major town centres who have the option to vote at early voting centres (or cast a postal vote) interstate tourists in remote locations have limited opportunities to vote. Feedback received from remote mobile polling staff indicates that interstate tourists were appreciative of this service, and the AEC intends to continue to offer interstate votes at remote mobile polling teams at the next federal election.

4.7.7 In an extension of an existing arrangement between the AEC’s South Australia and the Northern Territory offices, and in consultation with political parties and candidates, the AEC implemented cross-border arrangements for

delivering remote mobile polling in 2007. Communities were identified for cross-border remote mobile polling on the basis that polling would be most efficiently and effectively delivered from an AEC office in a different State or Territory, rather than from the relevant divisional office. The remote mobile polling service was delivered by the closest divisional office in collaboration with the Divisional Returning Officer (DRO) responsible for that division.

4.7.8 An area of concern for the AEC is the provision of polling services to Indigenous electors at town camps. Town camps in Darwin and Alice Springs provide temporary refuge for remote based Indigenous electors who are visiting urban centres. Under the CEA, the AEC has not been able to provide town camps with remote mobile polling services, due to their geographic proximity to static polling booths. By its very nature “remote” mobile polling takes place outside urban areas.

4.7.9 Providing mobile polling in town camps for federal elections would provide remote Indigenous electors with the opportunity to cast their vote in a familiar setting with the provision of an electoral service identical to that provided at remote communities. It would increase the opportunity for the residents of Indigenous town camps to cast their vote.

Recommendation 11: The AEC **recommends** that the CEA be amended to enable the provision of mobile polling at town camps such as in Darwin and Alice Springs.

Mobile Polling at Mining Sites

4.7.10 In advance of the 2007 election, the AEC contacted management of various mining companies to offer the range of voting services that best suited the voting needs of the miners. The companies were, in the main, reluctant to agree to mobile or static voting services being provided on mining sites. For the election the following services were provided:

- Emailing and ringing mine sites to inform them of the voting services that were available.
- Limited mobile polling was provided at some mine sites.
- Postal Vote Applications (PVAs) were sent to mine management to distribute to mining staff.
- PVAs were delivered to some mine sites along with AEC boxes to collect the completed PVAs.
- Early voting at domestic airport terminals (e.g. Qantas terminal in Perth) to service Fly In-Fly Out (FIFO) mine workers.
- Delivery of PVAs to aircraft servicing mine sites.

4.7.11 Servicing mine sites proved a challenge at the 2007 election. The uncertainty of servicing fly-in fly-out workers, the extensive use of contract staff, and prohibitive requirements for occupational health and safety training for AEC staff prior to entering some mine sites all contributed to this challenge. With the continued growth of mining in remote Australia, providing comprehensive and effective services to affected electors is a focus for the AEC in future elections. The AEC will undertake consultation with mining companies and mining representative bodies on how to best service their remote workforce at the next election. However, the AEC notes that individual electors also have a responsibility to ensure that they will be able to cast their vote either before or on election day.

Special Hospital Mobile Polling

4.7.12 The AEC visits institutions defined as “special hospitals” under the CEA in order to conduct mobile polling for patients and residents. Special hospital mobile polling can take place in the five days prior to, and on, polling day. **Table 4.8** below shows the votes taken at special hospitals in 2007 by state and territory.

Table 4.8 - Special hospital voting

State	Declaration	Ordinary	Total
NSW	2,869	14,170	17,039
VIC	4,037	16,907	20,944
QLD	1,919	9,829	11,748
WA	1,708	6,432	8,140
SA	1,646	6,214	7,860
TAS	280	2,601	2,881
ACT	75	549	624
NT	91	262	353
Totals	12,625	56,964	69,589

4.7.13 The AEC is limited in the types of institutions that can be declared special hospitals for the purposes of the CEA. The institutions visited must be “a hospital, convalescent home or an institution similar to a hospital or to a convalescent home”. The AEC considers that the notion of a “convalescent home” in the CEA is outdated, and any definition of a hospital or special hospital should instead make reference to the *Aged Care Act 1997*.

4.7.14 There are a number of large aged care institutions in Australia where a varied level of care is provided. For example, the same institution may encompass both high-level care units eligible for special hospital status under the CEA, and independent living units. Some institutions may also offer a high level of care to certain residents even though they are not resident in what would traditionally be categorised as a “convalescent home”. In these institutions, the AEC can take votes from those residents in the dedicated high care unit, but not from residents of the same institution who live independently, or from staff, even though the AEC is already on the premises. This inconsistency is emphasised by state arrangements. For example, the Victorian Electoral Commission undertook mobile polling at independent living

facilities for the 2006 state election, but those same electors could not vote with mobile polling teams for the federal election. In addition, there are cases where a person is assessed as requiring a high level of care and his or her partner is residing at the same aged care institution but does not receive such care. The AEC considers that in this situation, both the resident and the partner should be able to vote at the same time at the same location.

4.7.15 The CEA states that special hospital mobile polling can occur in the five days preceding, and on, polling day. In comparison, remote mobile polling can begin twelve days before polling day. The AEC sees no advantage in retaining the discrepancy in time frames and considers that they should be consistent at twelve days. The ageing demographic of Australian society will necessitate an increase in the number of aged care facilities visited and the number of votes taken at the facilities in future elections. The need to extend the number of days available to mobile poll at special hospitals is exacerbated in geographically large divisions. The AEC believes that in future elections the tyranny of distance with an increasingly ageing population will mean that some electors may miss out on casting their vote if the number of days available to conduct mobile polling is not increased. Increasing the time to provide these services to twelve days will allow for a more comprehensive service for affected electors at future elections.

Recommendation 12: The AEC **recommends** that the definition of a “hospital” and “special hospital” in the CEA be amended to reflect the current definitions of aged care under the *Aged Care Act 1997*, and that any person residing in a residential aged care facility, including staff, should be able to vote at the mobile polling facility.

Recommendation 13: The AEC **recommends** that the CEA be amended to extend the time period for conducting special hospital polling to the twelve days before polling day.

4.8 Overseas voting

4.8.1 The AEC, in conjunction with the Department of Foreign Affairs and Trade (DFAT), Austrade, and overseas posts that offer full consular services, provided voting services for Australians overseas during the 2007 election. 104 overseas posts provided postal and pre-poll voting services. The AEC again provided Overseas Liaison Officers to give assistance and deliver training at the overseas voting centres located in London and Hong Kong (the two posts which issue the most overseas votes) throughout the election period.

4.8.2 The AEC provided all election-related materials to the overseas posts. All non-ballot specific materials were delivered in 2 despatches in the months prior to the election announcement, and ballot materials were delivered in the week following declaration of nominations, from 5 November 2007. Electronic copies of ballot papers were placed on secure intranets within DFAT and Austrade to provide access for all overseas posts on the Monday after close of nominations (5 November), which was on the same day as AEC offices had access to ballot papers within Australia. Whilst all posts were provided with

fully printed Senate ballot papers, only posts estimated to issue more than 300 votes were provided with printed House of Representatives ballot papers for all divisions.

4.8.3 Most posts provided pre-poll voting services from 12 November until 23 November, or until the equivalent local time of 6p.m. polling day in Western Australia, where that fell on a business day, depending on local circumstances. There were some exceptions to this, notably in the United States of America where the Thanksgiving holiday fell on the Thursday immediately prior to polling day. Government offices were also closed on that Friday, including DFAT posts. Notice of opening hours for all posts were placed on DFAT and post websites.

4.8.4 The AEC is grateful for the assistance provided to us and to Australians electors by DFAT staff. In recent years we have seen the number of complaints made in relation to overseas voting increase. While the AEC believes that a good service is offered to Australians electors abroad – most other countries offer much smaller programs, if at all – there is of course always room for improvement. We will work with DFAT to review the 2007 scheme and agree any improvements for the future.

4.8.5 In New York, pre-poll voting commenced at the Consulate-General on Tuesday, 13 November 2007. Due to key staff departures, the post was unable to locate the pre-poll envelopes and was unable to offer pre-poll voting on Monday 12 November as scheduled. The post did, however, offer the option of postal votes to the few people who attended the Consulate-General on that day. Delays in the delivery of ballot material to New York meant that printed ballot papers only arrived at the Consulate-General on Thursday, 15 November. Prior to this, the post had printed the ballot papers from its intranet and issued them to pre-poll voters. There were also some minor delays in the receipt of printed ballot material at five other posts.

4.8.6 Completed ballot materials were returned to Australia over three despatches: London and Hong Kong despatched an early return on the Tuesday prior to polling day, and all posts despatched returns on the Friday before polling day and the Tuesday after polling day.

4.8.7 At the 2007 federal election overseas posts issued 70,059 total votes. This was a 2 per cent increase on the number of votes issued by overseas posts for the 2004 election. Pre-poll votes issued totalled 59,747, and postal votes issued totalled 10,312. Votes issued by each post are detailed at **Annex 8**.

4.8.8 The AEC notes that a number of submissions to the JSCEM inquiry have sought extensions of overseas voting in various forms. Some ideas put forward include applying compulsory voting to Australians overseas, having a separate parliamentary seat reserved for persons overseas, and permitting all Australians overseas, regardless of how long they have been away from the country, to vote. Some of these submissions give rise to serious issues of principle, and in particular, the AEC notes questions might well be raised within Australia were an electoral majority to be determined on the basis of

votes cast by persons who had lived outside Australia for many years, as happened in the case of the Italian Senate election in 2006.

4.9 Electronic voting

4.9.1 The JSCEM 2004 Election Report contained recommendations for a trial of electronic voting for blind and vision impaired electors and a trial of remote electronic voting for Australian Defence Force personnel serving overseas, Australian Federal Police serving overseas, and for Australians living in the Antarctic. In August 2006 the government responded to the JSCEM 2004 Election Report supporting, in principle, the recommendations for a trial of electronic voting for blind and vision impaired electors and Australian Defence Force personnel serving overseas. Legislation was needed to implement such a trial.

4.9.2 In March 2007, the CEA was amended to allow for the two electronic voting trials. With the date of the federal election unknown, the AEC set a completion date of 1 July 2007 to have both trials ready, as that was the earliest date possible for a federal election to be announced without a double dissolution. With such a tight timeframe many critical steps had to occur concurrently to ensure the timely delivery of the project. Because of this and because the project was a trial, the AEC used a restricted tender process so that only companies with a track record of electronic voting in Australia were asked to apply.

4.9.3 Should the Parliament consider legislating for any future implementation of electronic voting, sufficient time must be given for the AEC to undertake an open tender process in order to test the market on available systems as well as sufficient time to implement a sound, secure and robust electronic voting system.

4.9.4 Following the trials, the AEC has undertaken internal evaluations and commissioned independent external reports to evaluate the electronic voting trials. The following reports are at **Annex 9**.

- The AEC's report into "Remote Electronic Voting at the 2007 Federal Election for Overseas Australian Defence Force Personnel".
- The independent "Evaluation of the remote electronic voting trial for overseas based ADF personnel electors at the 2007 Federal Election".
- The AEC's report into "Electronically Assisted Voting at the 2007 Federal Election for - Electors who are Blind or have Low Vision".
- The independent "Evaluation of the electronic voting trial for blind and sight impaired electors at the 2007 Federal Election".

Trial of remote electronic voting for Australian Defence Force personnel

4.9.5 From 5 November to 24 November 2007, the AEC and the Department of Defence (Defence) successfully implemented the first remote electronic trial for ADF personnel deployed overseas. Of approximately 2,500 ADF personnel eligible to register, 2,012 personnel registered for the trial, with 1,511 successfully voting electronically.

4.9.6 The trial was conducted on the Defence Restricted Network (DRN) and was not available on the World Wide Web, creating a secure software environment for voting.

4.9.7 A project board that consisted of AEC and Defence executives and project officers was formed to guide and monitor the project. Defence requested that the trial exclude all Royal Australian Navy Ships due to network bandwidth issues and that other trial participants be sourced only from four Areas of Operation (AOs). These were Iraq, Afghanistan, Solomon Islands and Timor-Leste.

4.9.8 To ensure only eligible voters utilised the system, the AEC implemented rules for qualification of registration. These rules included the applicant making a declaration on their application stating the AO where he or she was deployed and dates of deployment. End to end testing of software, eligible voter awareness education and eligible voter registration was conducted in the AOs of the Solomon Islands and Timor-Leste. The complexities associated with the development and testing of the software meant that it was not certified until 14 October 2007, three days prior to the issue of the writ for the 2007 election.

4.9.9 All voters registered to vote electronically were sent a Personal Identification Number (PIN) under a security foil through the ADF mail system. This was needed to log onto the secure e-vote intranet site. PINs were issued progressively to registered personnel in the AOs from early October 2007 up until 2 November 2007. Should remote e-voting be put in place for the next federal election, the AEC will investigate methods to most effectively distribute PINs to registered personnel in time to vote (for example, by secure electronic distribution).

4.9.10 All registered remote electronic voters (REVs) were sent a postal vote as a contingency in case they were unable to access the electronic voting service due to operational reasons. In 1.9 per cent of cases the voter completed both the postal vote and the electronic vote. In these instances only the electronic vote was counted.

4.9.11 After voters logged in to the software, the ballot papers for the voter's enrolled Division and state were then displayed. The voter used the mouse to click on the candidates in the order of his or her preference, displaying a sequential number with each mouse click. The voter was presented with a confirmation screen before submitting each vote, and issued with a receipt so that he or she could check if the vote had been received by the AEC.

4.9.12 On 25 November 2007 (the day after polling day) the electronic voting server was unlocked by entering three of six passwords held by six individual AEC employees. The completed ballot papers were then printed in Division order, under the observation of scrutineers, and then securely packaged and despatched to the home division.

4.9.13 A thorough independent evaluation was undertaken which included a survey sent by post to all voters who registered for remote electronic voting. The AEC has also produced its own project report at **Annex 9**. The trial demonstrated that remote electronic voting for personnel deployed overseas provided a convenient, reliable and secure method of voting in a federal election with voter feedback indicating a high level of satisfaction with the level of service provided by remote electronic voting. The cost per vote for the trial was \$1,159.00 (including Defence costs).

4.9.14 Due to the success of the 2007 trial, the AEC supports the use of remote e-voting for ADF personnel at future elections. There are options for expanding the trial by providing the service to other users, such as members of the Australian Federal Police serving overseas, remotely posted AusAID or DFAT staff, or Antarctic electors. If the government wishes to extend remote electronic voting for use in future elections or referendums, the legislation must be passed at the earliest possible time before the next federal election or referendum to allow for planning and development.

Recommendation 14: The AEC **recommends** that Parliament consider amending the CEA to provide for further secure, remote electronic voting at the next federal election, and that eligibility should be extended to include members of the Australian Federal Police serving overseas, remotely posted AusAID or DFAT staff, and Antarctic electors as well as ADF personnel serving overseas.

Trial of voting for people who are blind or have low vision

4.9.15 In the two weeks before polling day (9 November to 23 November 2007), a total of 850 votes were cast over 29 sites using Electronic Voting Machines (EVMs) for electors who are blind or vision impaired. 881 voters attempted to vote using the EVMs, but 31 then opted to cast a vote by another means, including using magnification aids or using a paper ballot assisted by a polling official, family member or friend.

4.9.16 The AEC established a reference group to inform the development of the project. The reference group included representatives from Vision Australia, Australian Federation of Disability Organisations, Blind Citizens of Australia, Radio for the Print Handicapped and the Human Rights and Equal Opportunity Commissioner. The AEC also engaged an experienced accessibility and useability expert to advise on the interface of the EVM software. The AEC met regularly with the reference group to consult on site selection, public awareness, useability and software interface, and support equipment such as Braille instructions. The meetings with the reference group were invaluable in providing an informed view on the project including

the recommendation that the AEC engage an accessibility and useability expert to guide in the development of a usable interface.

4.9.17 The AEC developed a phased approach to the selection of sites and promoting public awareness. Potential city, regional and country sites were identified and then visited to assess suitability. Once the sites were confirmed they were visited again and the EVM was demonstrated to invited groups, consisting of potential voters, support groups and carers, service providers, local government representatives and the media. During the election the sites were again visited to assess the effectiveness of the trial and to gather more media exposure for the location of the machines in that region.

4.9.18 During the polling period, electors recorded their votes on the EVMs using audio assistance through headphones. Voters who had some vision were also able to use large print on a 21-inch flat screen monitor. The voter navigated the system using a telephone-style keypad, guided by audio instructions. The EVM was the first of its kind to use this kind of telephone style keypad interface, bridging the gap for voters who are unfamiliar with using a computer, but could use a telephone. Braille instructions were provided at each site and voters had the opportunity to become familiar with the machine by using a practice voting session and polling official assistance.

4.9.19 When the voter was ready to vote, the polling official enabled the machine to present the correct ballots to the voter and then left the voter to cast his or her vote in private. Once the voter had made his or her selections, the voter's preferences were printed using a small laser printer located next to the EVM. The preferences were concealed within a two-dimensional barcode to preserve the secrecy of the vote. When the voter finished voting, a polling official assisted the voter to place the votes in a declaration vote envelope and the declaration vote envelope was placed in the ballot box.

4.9.20 The barcode was decoded after polling day by the Divisional Returning Officer in the home division and counted along with all other declaration votes. At no time were the voter's preferences able to be associated with an individual voter.

4.9.21 A thorough independent evaluation was undertaken which included a survey completed by 823 voters. The AEC has also produced its own project report **Annex 9**. The trial demonstrated that electronic voting for people who are blind or have low vision provided an intuitive, secure, secret and independent method of casting a vote. Support for the EVMs was overwhelmingly positive, with 97 per cent of users stating that they were satisfied overall with the use of the EVMs.

4.9.22 The take up of the EVMs (850 votes) was quite low, resulting in a cost per vote of \$2,597.00. It appeared that a number of elderly blind or visually impaired voters were not inclined to use the EVMs and chose to cast a paper ballot, assisted by a polling official, family member or friend (these were in addition to the 31 voters mentioned in **paragraph 4.9.15** who attempted to use an EVM before deciding to cast a paper ballot). It is likely that there would continue to be some reservations about using EVMs based upon the technical fluency of some elderly electors, but it is expected that this would

change over time. It is worth noting that such electors are entitled to be general postal voters under Schedule 2 of the CEA and they may find this form of voting more convenient than other forms of voting, including electronic voting.

4.9.23 There is an option for the cost per vote to be offset by widening the eligibility criteria to any voter who requires assistance with printed format or who may be regarded as print handicapped. This would include any elector who, through age, disability or lack of English literacy skills is unable to physically handle, read or comprehend printed material. To achieve this, the EVMs would need to be enhanced in order to operate as “audio assisted voting” or “accessible voting” machines.

4.9.24 The AEC recognises the value of a secret and independent vote for all electors, including those who are blind or have low vision. The high cost of the trial must be balanced against this important principle. The provision of facilities of this type on a large scale, if not matched by a significant level of take-up, would ultimately give rise to costs which would, in an era of scarce resources, impact on the services provided to other electors.

Recommendation 15: The AEC **recommends** that Parliament legislate for further use of electronically assisted voting machines at the next federal election, and that eligibility for their use should be extended to voters experiencing other forms of print disability as well as those experiencing blindness and impaired vision.

4.10 Informal voting

4.10.1 **Tables 4.9** and **4.10** summarise the extent of formal and informal voting for the House of Representatives and the Senate in 2007.

Table 4.9 – Informal Voting for the House of Representatives 2007

State	Formal	Informal	Total	Informal %	Informal Swing %
New South Wales	4,059,486	211,519	4,271,005	4.95	-1.17
Victoria	3,168,899	106,721	3,275,620	3.26	-0.84
Queensland	2,378,853	87,708	2,466,561	3.56	-1.60
Western Australia	1,177,537	47,152	1,224,689	3.85	-1.47
South Australia	988,152	38,830	1,026,982	3.78	-1.78
Tasmania	325,142	9,796	334,938	2.92	-0.67
Australian Capital Territory	223,581	5,289	228,870	2.31	-1.13
Northern Territory	98,213	3,936	102,149	3.85	-0.60
NATIONAL	12,419,863	510,951	12,930,814	3.95	-1.23

Table 4.10 – Informal voting for the Senate 2007

State	Formal	Informal	Total	Informal %	Informal Swing %
New South Wales	4,193,234	96,210	4,289,444	2.24	-1.23
Victoria	3,182,369	107,850	3,290,219	3.28	-1.85
Queensland	2,418,907	57,912	2,476,819	2.34	-0.45
Western Australia	1,202,750	29,797	1,232,547	2.42	-1.12
South Australia	1,006,809	24,511	1,031,320	2.38	-1.15
Tasmania	326,846	8,830	335,676	2.63	-0.74
Australian Capital Territory	225,321	3,905	229,226	1.70	-0.76
Northern Territory	100,569	1,994	102,563	1.94	-1.18
NATIONAL	12,656,805	331,009	12,987,814	2.55	-1.20

4.10.2 The JSCEM's recommendation 31 of the 2004 Election Report asked that the AEC increase its efforts to reduce the informal vote in divisions with a high number of electors from CALD backgrounds, through the development of new and innovative strategies. To this end, the AEC analysed the causes and risk factors that may lead to increased rates of unintentional informal voting. The working party provided input to the development of the formality communication strategy, and the development of other new strategies aimed to decrease informal voting.

4.10.3 New strategies implemented by the AEC in 2007 to reduce informality are described below.

- The AEC analysed ABS data at the polling place level to identify polling places with both high informality at the 2004 election and high populations of CALD groups. On this basis, the AEC expanded its recruitment drive to employ staff for selected polling places who could speak the targeted language(s) for those communities. These polling officials were provided with a badge indicating the language that they spoke (in 21 languages).
- Some polling places played a DVD of translated formality television advertisements, either in a loop of all languages or in selected languages according to their elector profile.
- The three questions issuing officers are required to ask of electors were translated into 21 languages and made available for divisions to download and have available at polling places as required.

- How to Vote Guides (instructions on how to vote in English and translated into 21 languages in a flipchart format) were supplied to each polling place, mobile polling team and early voting centre.
- Polling staff in Divisions with the highest 2004 informality levels were provided with extra training.

4.10.4 The AEC produced the following publications and tools designed to provide information about voting correctly and reduce informality.

- The Candidate's Handbook included information to advise candidates about minimising unintentional informality through the design of their How to Vote card.
- An interactive "How to vote practice tool" was available on the AEC website to enable electors to practise filling in their ballot papers; this was promoted through the advertising and public relations materials.
- How to Vote Fact sheets were available on the AEC website in English and translated into 21 languages.
- Formality messages were included in the *Official Guide to the 2007 Election* publication (a leaflet that was distributed to all households). This guide was also translated into 21 languages and made available on the AEC website.
- All translated election communication materials were available on the AEC website in an "information in your language" section.

4.10.5 The AEC's communication strategy featured the following strategies aimed at reducing informality:

- The AEC's election advertising campaign included a formality phase which utilised television, press and internet advertising in the week prior to the federal election (Saturday, 17 November to Friday, 23 November) in metropolitan, regional and rural media. The advertising followed a central theme of "make your vote count" and was supported by "your vote is a valuable thing" which provided information on how to complete in ballot papers correctly.
- A public relations program supported the advertising and reinforced key formality messages. These messages included advising electors how to vote correctly, and that there was help available in polling places. The clear message was "if you make a mistake, don't worry: ask a polling official for another ballot paper, and start again". Public relations activities were targeted for states which use optional preferential voting in state elections, reinforcing the differences between state and territory voting and federal election voting, and for divisions with a high number of candidates for the House of Representatives.

- Press advertising was adapted for placement in Indigenous media, and translated press and television advertising was placed in CALD media in 20 languages for print and 6 languages for television.
- Media releases were distributed to mainstream media outlets and translated versions distributed to CALD media outlets.
- A direct mail campaign was conducted to provide over 600 CALD community organisations and groups, and migrant resource centres, with translated how to vote correctly fact sheets, posters and DVDs featuring the translated television advertisements.

4.10.6 While the AEC notes that the level of informal voting fell at the 2007 election, it needs to be emphasised that many of the factors which appear to influence the level of informal voting are outside the control of the AEC. If, for example, voters at a particular election choose to cast an informal vote as a form of protest, that is unlikely to be mitigated by the sorts of strategies mentioned at **paragraphs 4.10.3 to 4.10.5**. The AEC intends to continue to research and analyse the informal voting figures from the 2007 election to understand which of the strategies listed above may have had the greatest impact.

4.11 Non-voting and multiple voting

4.11.1 Where electors attend a polling booth on polling day, in the division for which they are enrolled, they have their name marked off the certified list of eligible voters, and cast their vote. Certified lists are also used in divisional offices for marking off declaration voters.

4.11.2 After the election, the certified lists are scanned. Where an elector's name has been marked off more than one certified list, that elector is identified as an apparent multiple voter. Where an elector's name has not been marked off any certified list, that elector is identified as an apparent non-voter. Letters are forwarded to those electors requesting confirmation of the scanned information. A decision is then made about fining or attempting to prosecute apparent multiple voters and non-voters.

4.11.3 The process of finalising the number of multiple voters and non-voters can take considerable time. For this reason, useful statistics on multiple voters and non-voters at the 2007 election are not yet available. These statistics will be produced for the JSCEM when the process is complete.

4.12 Temporary Employees for the Election

4.12.1 Conducting an election involves a massive increase in temporary staff employed by the AEC, many only for one day. This presents the AEC with some unique challenges when dealing with staffing and remuneration issues for temporary election employees.

4.12.2 Working as a polling official on polling day carries significant responsibility. Polling officials work long hours on polling day in a high-pressure environment. Staff at polling booths not only take votes, but also conduct the first scrutiny, the first count of House of Representatives and Senate ballot papers. For most Australians, their experience at a polling place is their only personal interaction with the AEC.

Recruitment of temporary staff

4.12.3 The AEC is finding it increasingly difficult to recruit adequate numbers of suitable polling staff to work at a federal election. A factor that may be deterring people from working on polling day is the amount of remuneration in comparison with the level of responsibility and hours of work. For the 2007 federal election, polling officials were paid in the range of \$292 to \$691 for the full day (which can be up to 16 hours), depending upon their duties. This payment was for working the full day, including training requirements. The AEC is aware that this may not be considered adequate and in many cases is lower than that paid by State and Territory electoral agencies for working on a State or Territory election.

4.12.4 However, increasing the level of pay is not necessarily a feasible option for the AEC. The AEC has a limited amount of funding available to conduct the election and so has to consider other priorities in allocating resources. If the AEC pays more for polling officials it may be necessary to employ lower numbers of officials resulting in fewer polling booths and longer queues.

4.12.5 This issue is further compounded by the legislative requirement for polling staff to take meal breaks after five hours of continuous duty. With most polling officials working 14 to 16 hours on polling day, this will necessitate officials taking two meal breaks across the working day. This, in turn, will make it increasingly difficult for polling officials, particularly at smaller polling places, to take appropriate meal breaks. To address this issue, the AEC has strengthened its policies and practices through training and education. Other solutions, such as engaging more polling officials in order to arrange rostered meal breaks without a decrease in service delivery, will also increase our costs with the same consequences as set out above.

4.12.6 Another possible solution the AEC is considering for the next federal election is targeting staff from particular areas of the community who may have an interest in engaging with the electoral process and serving the community. For example, those staff already employed in community focused organisations and university students.

4.12.7 Prior to the next federal election the AEC will be conducting some internal analysis in an attempt to tackle some of the unique challenges faced regarding staffing for an election. In particular, it will review the recent experiences of overseas electoral management bodies. Ultimately, whatever the AEC decides will have significant budgetary implications.

4.13 McEwen Petition

4.13.1 A range of issues have been raised in the current petition to the Court of Disputed Returns challenging the result of the election in the Division of McEwen, including formality rules and their proper construction and application. The AEC does not intend at this stage to canvass issues currently before the Court. If the JSCEM thinks it desirable, a separate submission could be developed once the Court has dealt with the petition.

5. LEGAL ISSUES ARISING FROM THE 2007 ELECTION

5.1 Investigation and Enforcement of alleged breaches of the CEA

5.1.1 During the lead up to the 2007 election the AEC received numerous complaints about electoral advertising that was alleged to have been published and distributed in breach of various requirements contained in Part XXI of the CEA. Most of these complaints involved material that was alleged to be in breach of the authorisation requirements contained in sections 328 and 328A, while others involved possible breaches of the misleading and deceptive publication requirements contained in section 329 of the CEA. The intent of these provisions of the CEA is to ensure electors are informed about the source of political advertising, and to ensure that political advertising does not mislead or deceive electors about the way in which an elector can cast their vote.

5.1.2 In relation to printed matter, section 328 of the CEA generally requires electoral advertisements to state the name and address of the person who authorised the advertisement and the name and place of business of the printer. This ensures that anonymity does not become a protective shield for irresponsible or defamatory statements in electoral advertising. Section 329 of the CEA relates to all media (print, broadcast and internet) and is intended to ensure that electors are not misled as to how to cast a valid vote.

5.1.3 The AEC may adopt any or all of the following strategies in response to an apparent breach of the CEA:

- A request to cease and desist.
- Injunction action undertaken in the Federal Court to compel compliance.
- Referral to the Australian Federal Police (AFP) for investigation.
- Referral to the Commonwealth Director of Public Prosecutions (CDPP) for preliminary advice or prosecution.

5.1.4 While compliance with the law is important at all times, the AEC recognises the practical reality that some of the above options are extremely costly to pursue. Another practical issue is that the “person” who breached the Electoral Act must be identified before any action (civil or criminal) can be contemplated. This means that significant costs can also be incurred to attempt to identify the “person” who breached the CEA.

5.1.5 The existing process for dealing with serious breaches of the Act is that the first step is to identify *prima facie* evidence of the breach, including the identity of any persons involved. The matter is then referred to the AFP for investigation and the preparation of a brief of evidence to be given to the CDPP.

5.1.6 The above processes are also subject to the guidelines issues by both the AFP and the CDPP for the referral and handling of alleged criminal offences. Both of these sets of guidelines refer to an assessment of the seriousness of the alleged offence, the resources available for dealing with these matters and the public interest involved. It is noted that with the exception of the bribery offence in section 326 of the Act, almost all of the penalties for a breach of the Act are fines of up to \$1,000 that under the criminal law they are summary offences (see section 4H of the *Crimes Act 1914*). Accordingly, the evaluation undertaken by the AFP of the available resources and the relatively low penalties in the CEA, almost always results in the AFP deciding not to accept the referral and therefore it is unable to investigate breaches of the CEA. However, if the AFP accepts the referral from the AEC, then the AFP will investigate the matter and, if their investigation discloses a possible breach, prepare a brief of evidence that is forwarded to the CDPP. Under section 6 of the *Director of Public Prosecutions Act 1983*, it is the CDPP who is responsible for initiating criminal proceedings on behalf of the Commonwealth (which includes the AEC). The CDPP will then examine the brief of evidence and apply the Prosecution Policy of the Commonwealth to determine whether or not to proceed with a prosecution.

5.1.7 The above mentioned practical matters often result in the AEC not pursuing referrals to the AFP. In such circumstances, it is the practice of the AEC to advise complainants that it is unable to take action having regard to the available evidence, and that, if they disagree with the AEC's conclusions, it is their right to refer a matter to the AFP. Further, if the complainant is not satisfied with the AEC decision not to pursue a matter, that the complainant has the right to commence a private prosecution for a summary offence (see section 13 of the *Crimes Act 1914*) or to pursue an injunction, though this action is rare.

5.1.8 As an alternative to criminal action, section 383 of the CEA contains an injunction power. The power to seek an injunction was first introduced into the CEA by the *Commonwealth Electoral Legislation Amendment Act 1983* (Amendment Act) and that political parties and candidates are also able to use this power to obtain an injunction to stop any alleged breaches of the CEA.

5.1.9 The injunction power has rarely been exercised by the AEC. Historically the main area of concern has been How-to-Vote cards and the application of section 329 (misleading and deceptive publications). These issues normally arise on polling day.

5.1.10 There are a number of legal and practical issues that arise in attempting to seek the issuing of an injunction from the Courts. The major issue relates to the availability of admissible evidence, having regard to both the requirements of the CEA and the common law dealing with the equitable relief of an injunction. The High Court of Australia in the case of *ABC v Lenah Game Meats Pty Ltd* [2001] HCA 63 set out the common law test for the equitable relief available as an injunction. In short the requirement is that the person seeking the injunction must show (1) that there is *prima facie* evidence supporting a finding that the CEA has been breached by the Respondent

named in the proceedings; (2) that the person is suffering damage for which a payment of compensation will be insufficient; and (3) the balance of convenience supports the granting of an injunction.

5.1.11 Accordingly, for the AEC or any other party to consider exercising the right to seek an injunction under section 383 of the CEA, it must possess admissible evidence that addresses all three elements of the above common law test. In practice, this has become an insurmountable obstacle to the obtaining by the AEC of an injunction, especially on polling day.

5.1.12 In light of the difficulties surrounding the enforcement of breaches of the CEA it may be appropriate to consider modernising and revising the offence and injunction provisions. The AEC believes it is worth considering an entirely fresh approach to these provisions, including a hierarchy of sanctions that can be imposed by the AEC itself, rather than having to look to an external agency to impose sanctions.

Recommendation 16: The AEC **recommends** that the CEA be amended to provide the AEC with a range of options for dealing with electoral offences, including:

- warning letters for technical breaches;
- public shaming and reports to Parliament for more serious breaches;
- compliance agreements that are signed and published on the internet that acknowledge the breach and agreed steps to prevent future breaches;
- civil penalties; and
- withholding election funding for continuing breaches.

5.2 Political advertising on the internet

5.2.1 Not unexpectedly, there has been an increase in the amount of electoral activity on the internet. There seems no reason to doubt that the internet will increasingly be used as a tool for electoral and political advertising and comment in the future. As such, the application and enforcement of electoral offence provisions to the internet is a continuing challenge for the AEC. This experience is not unique to the AEC. The very nature of the internet poses difficulties of control and law enforcement for all agencies.

5.2.2 The coming of the internet has not just created a new medium. It has made it easier for persons to publish views, opinions, and documents which would formerly have been printed commercially or in newspapers, and film clips which would formerly have been broadcast or shown at cinemas. These items can be quickly and easily published and expressed through webpages, such as YouTube, and can rapidly spread and gain wide currency. The interaction between the roles of the AEC and the Australian Communications

and Media Authority (ACMA) in relation to electoral advertising in the broadcasting media is a cause for confusion between complainants. For example, many complaints were received that the electronic blackout immediately prior to polling day that applies to television and radio advertising on electoral matters also applied to the internet.

5.2.3 The AEC received a number of complaints in relation to the use of the internet during the 2007 election. As the law currently stands, if the actual placement of an advertisement on the internet is not paid for, then it is not covered by section 328A.

Recommendation 17: The AEC **recommends** that the JSCEM may wish to consider conducting a separate inquiry on the role and regulation of the internet in elections to allow consultation with the relevant stakeholders.

5.3 Amendment of the CEA and the Referendum (Machinery Provisions) Act 1984

5.3.1 There is continuing necessity to update and modernise sections of legislation. The AEC has compiled a list of recommended basic amendments to the CEA and the *Referendum (Machinery Provisions) Act 1984* (Referendum Act). These amendments are consolidated into two tables. The first table outlines remedies for technical errors and defects, such as grammatical and cross-referencing errors. The second table outlines amendments that will assist in the administration of the CEA and the Referendum Act. Both tables are at **Annex 10**.

6. E-BUSINESS

6.1 Increase in electronic interaction with the AEC

6.1.1 There is an increasing trend towards electronic engagement with government. In the 2007 study *Australians' Use of and Satisfaction with e-Government Services*, the Australian Government Information Management Office (AGIMO) found that the internet is now the preferred way to contact government, with 41 per cent of respondents (from a representative sample of over 4,000 people) nominating it as their preference. Twenty-five per cent of respondents now use the internet for all or most of their interactions with government, and 59 per cent have contacted government using the internet in the last year (up from 39 per cent in 2004-05).

6.1.2 Another key finding of the study was that only 70 per cent of those who would prefer to contact government by internet actually used that channel for their last contact with government. The main reasons for not using the internet in these circumstances were the unavailability of an online option or a necessity for in-person contact.

6.1.3 The study concluded with the following findings:

- Convenience continues to be a prime motivation for use of e-government channels.
- The majority of people could be encouraged to use the internet more to contact government.
- Satisfaction with service delivery has remained constant and at very high levels.
- Take-up of telecommunications services is increasing.
- Future growth in use of e-government services will require improved website content and design, with expanded access and awareness of online services.

6.1.4 According to the Australian Taxation Office (ATO), e-tax (the ATO's electronic tax return product) has consolidated its position as the preferred channel for Australians to lodge their income tax returns. Almost two-thirds of people who prepared their own returns, or 1.9 million people, lodged using e-tax in 2007. The continuing success of e-tax is an example of the public's willingness to engage with government electronically, even when providing extensive personal and financial information. Any historical concerns regarding privacy over the internet seem to have dissipated as the public embrace this technology as the preferred method in interacting with the bureaucracy. The public acceptance and take up of e-tax is indication that aspects of electoral administration can be adapted to an online environment, particularly in maintaining enrolment. The public's acceptance of e-tax as a convenient and secure manner of providing private information to the ATO

supports the argument that any online electoral service (that is proven to be safe and secure) would have wide take up throughout the community. The AEC notes that in an area as sensitive as tax, the Parliament has permitted the use of the internet.

6.1.5 The private sector has moved ahead in providing online services, with shopping, banking, and paying bills online the usual practice for a large group of Australians. The Australian Bankers' Association says that there were more than 8.5 million registered online banking customers as at September 2006, more than double the number in 2002. The Australian Bureau of Statistics has found that 61 per cent of the estimated 11.3 million Australians who use the internet purchase or order goods or services online.

6.1.6 In line with this trend, the AEC has experienced a significant increase in the public's use of electronic interactions through the AEC website and email. During the 2006-07 Financial Year the AEC website received 72 million hits, compared to 33 million hits in 2005-06. As discussed in **paragraph 3.4.4** above, 38,295 email enquiries were received by info@aec.gov.au from the announcement of the 2007 election until two weeks after polling day, more than double those received in the same period in 2004. There was also an increase in use of "self-help" facilities on the AEC website, with users undertaking over 2.5 million enrolment checks using the AEC's online enrolment verification service in the election period.

6.1.7 The 2007 election demonstrated that electors are looking for alternative means to submit their enrolment forms. In the lead up to the 2007 election, the AEC received a large number of scanned and emailed enrolment forms. Although there was significant contact with electors using the existing email facilities, there were several issues that arose confirming that this is not the most efficient electronic communications method. Opening, printing and then processing these forms is very labour-intensive, and had a significant impact on the internal email system as the sheer volume of messages received slowed the system significantly.

6.1.8 The growing trend towards electronic engagement with government is impacting on how electors choose to interact with the AEC. To respond to this trend it is important for the AEC to modernise electoral practices to accommodate the internet. While many issues need to be thoroughly evaluated before any movement towards an online voting regime, aspects of enrolment and postal voting could be accommodated more easily in an online environment.

6.1.9 Considering these issues, emailing of scanned enrolment forms is far from an ideal solution to the increasing elector demand for electronic interaction. The use of a dedicated, secure channel through which electors could submit their enrolment information on the AEC website would be a better option, easier for both the elector and the AEC, and would reduce workload by eliminating the need to re-enter data from printed forms, and remove the impact of mass incoming email carrying enrolment information on essential office mail systems. This channel could also provide a receipting capability to provide greater assurance to the elector that his or her transaction had been received.

6.1.10 Information for electors overseas was one of the most popular pages visited on the AEC website in the lead up to the 2007 election. The Australian community is increasingly mobile, and a growing number wish to continue to engage with the Australian electoral system while they are temporarily overseas. At present, these electors must rely on international post, facsimile, or insecure scanning and email to register as eligible overseas electors, submit an enrolment form, or apply for a postal vote. A secure channel over the AEC website where electors could submit these forms would be significantly more efficient and user-friendly for Australians overseas.

6.1.11 The AEC recognises that, while electronic interaction with the AEC has grown, many electors still prefer to interact using existing methods such as post. Accordingly, the AEC aims to meet the needs of that growing group who prefer interacting electronically, while still continuing to cater for all electors through traditional paper-based systems. Options to provide electoral services online including online enrolment, direct update enrolment and online application of PVAs are discussed below.

6.2 Online enrolment update

6.2.1 Providing a facility for electors to update their details online would bring the AEC into line with community expectations, and services provided by other government agencies and the private sector.

6.2.2 As a first step, the AEC, is moving towards the use of “smart forms” for enrolment. Electors would fill out a form on the AEC website, and submit it electronically through a secure channel to the AEC. They would then print and sign the form to fulfil the current signature requirement in the CEA, and post to the AEC. On receipt of the enrolment form, the AEC would scan a barcode on the form, connecting the hard copy with the electronic details already submitted, and automatically calling up the information entered by the elector AGIMO is involved in this.

6.2.3 This, however, would only be a short-term solution to the underlying problem: the use of hardcopy forms as an essential element of a transaction with a government agency is simply anachronistic. Electors are visiting the AEC website in increasing numbers, both for information and to find forms. During October 2007 (the close of rolls period), over one quarter of enrolment forms received were sourced from the AEC website. Allowing these electors to update enrolment information online, immediately and directly, would reduce the risk of a posted enrolment form not arriving on time, and would catch electors visiting the AEC website at the time of engagement. In addition, online updating of enrolment information through a dedicated channel would be more secure than the current trend of scanning and emailing enrolment forms.

6.2.4 The AEC considers that the implementation of online enrolment update (including change of address) would most benefit young electors. The AEC is actively targeting youth in order to combat under-enrolment in that age group. Young people aged 18 to 24 are more likely to be renting and highly mobile

than most other electors, making it more difficult for them to stay correctly enrolled. Younger electors are also more comfortable using the internet, and are accustomed to conducting their business online. According to *AGIMO Australians' Use of and Satisfaction with e-Government Services*, young people are more likely to use electronic service delivery channels, with 78 per cent of 18 to 24 year olds preferring this method compared with 57 per cent of those over 65. Similarly 93 per cent of 18 to 24 year olds and 41 per cent of those aged 65+ years access the internet. Therefore providing an option for online change of address is a logical way for the AEC to engage younger electors, by making the task of updating their enrolment simpler and more convenient.

6.2.5 The AEC is currently restricted in implementing full online enrolment update due to the requirement in the CEA for a personal signature on an enrolment form. However, we continue to examine to what extent a signature substantially adds to existing procedures in managing the possibility of fraudulent enrolment. As suggested above, the retention of POI will continue to improve the integrity of the roll; **recommendation 2** on requiring POI for first time enrolment only would allow all electors to access any eventual online enrolment update. This could provide sufficient assurance as to the elector's identity for changes to enrolment details where the elector can be matched to an existing AEC record. In addition, the potential for recording the internet protocol addresses of the computers from which transactions are lodged could provide opportunities for investigating particular enrolments that do not arise when a hardcopy form simply arrives at an AEC office through the post.

Recommendation 18: The AEC **recommends** that online update of enrolment details, accessible by electors whose identities have been verified through the POI process, be provided for in the CEA.

6.3 Direct address update from government sources

6.3.1 A second option is the direct update of address from trusted sources. This would involve electoral authorities using information in the possession of trusted authorities (usually government agencies) about the current addresses of people entitled to be on the electoral roll to automatically enrol these people or update their enrolments with their current addresses. This concept potentially shifts the onus of responsibility to get some people on the roll from the citizen to the electoral authority.

6.3.2 Direct update to the electoral roll from government sources was discussed at the recent Australia 2020 Summit in regard to automatic enrolment of 18 year olds. Some state electoral authorities are showing interest in the concept. The New South Wales Electoral Commission in particular has indicated that it is investigating a "smart enrolment system", which might incorporate automatic enrolment for young people. Internationally, Elections Canada and the Canada Revenue Agency have an agreement under which tax return forms were altered to include a "tick box" for this purpose. Individuals who give their permission and confirm their Canadian citizenship on the form are directly added to the National Register of Electors.

6.3.3 The AEC already uses change of address data from federal, state and territory government agencies in the Continuous Roll Update (CRU) program. These agencies include Centrelink, Australia Post, and state and territory motor transport authorities. At this time, the AEC cannot update the enrolment, but must write to electors, informing them that the AEC believes they may have moved, and inviting them to update their enrolment. Understandably, some electors find it confusing that although the AEC clearly already knows their new addresses, they are not enrolled correctly and need to fill out, sign and return the enrolment form.

6.3.4 In addition to the growing expectation for electronic and convenient interactions with government discussed above, the AEC has conducted market research that found that many electors were already of the belief that when they notified “government” of their change of address (for example, by changing the address of their driver’s licence or notifying Medicare or Centrelink) their enrolment was automatically updated.

6.3.5 A risk to be borne in mind is that the address data sourced from other government agencies was gathered for a different purpose, and therefore may not be fit for enrolment purposes. Another risk is the potential for privacy concerns over using data for a different purpose to that for which it was provided. This might be alleviated through the use of an “opt-in” or “opt-out” system. The AEC intends to continue to investigate options for the modernisation of enrolment procedures with the view to providing more comprehensive alternatives to paper forms. The AEC believes that this matter should be further examined and anticipates that this will happen in the Green Paper process.

6.4 Forms design

6.4.1 The current regime of forms used by the AEC is the “approved form” as defined by section 4 of the CEA. Section 4 of the CEA defines an approved form to be a form approved by the Electoral Commission by notice published in the *Gazette*. Various sections of the CEA refer to the use of an approved form for the execution of an administrative function. For example, a claim for enrolment or a transfer of enrolment must be in the approved form (CEA, section 98(2)(a)).

6.4.2 This approved form regime only has scope to permit one approved form for each type of enrolment transaction at any one time. This is due to the fact that a later approved form will repeal an earlier form, resulting in only one approved form being valid and operational at any one time. This means that no more than one form can be in use at one time for the same enrolment purpose, stopping the AEC from producing forms in different formats for different audiences or initiatives, and requiring that any ‘old’ forms received be rejected. Improving the flexibility would enhance the AEC’s capacity to tailor forms to specific client groups, for example the vision impaired, or to persons who would benefit from the use of a form specifically targeted to their needs, rather than more generic ones. In the longer term, any shift to the use of online transactions will require a more flexible regime, under which

appropriate designs can be developed to meet the different requirements associated with the capture of information via computer, whilst still providing for the use of hardcopy forms.

6.4.3 The AEC sees benefit in enrolment forms still requiring formal adoption by the Commission or Commission-delegated officers, but believes that no real benefit is gained by the gazettal of enrolment forms. Therefore the AEC proposes the introduction of a new class of forms, to be known as authorised forms. These forms would be subject to authorisation by the Commission (or its delegate) but would not require gazettal. The new power for the Commission to authorise forms should specifically allow for the authorising of more than one form for a designated enrolment purpose at one time.

Recommendation 19: The AEC **recommends** that sections 4, 94(1), 94A(2), 95(2), 96(2), 98(2), 99A(4), 99B(2) and 104(1) of the CEA be amended to provide a flexible regime for the authorisation by the AEC of enrolment forms, which will:

- allow a number of versions of an approved form;
- enable forms to be tailored to the needs of specific target groups; and
- facilitate online transactions.

6.5 Use of Personal Digital Assistants (PDAs)

6.5.1 The AEC undertook a trial using 150 PDAs in a variety of locations, to assist with confirmation of voters' address details. National enrolment data was provided on PDAs to confirm voter details, to direct voters to the appropriate queue in polling places, and to issue declaration votes for the correct divisions in both early voting centres and ordinary polling places. Pre-poll voting centres and polling places with a history of issuing large numbers of votes for other divisions were selected, as were the two largest overseas issuing posts, London and Hong Kong. PDAs were also used at "superbooths", which are large central polling places (for example, the Sydney Town Hall) that have ordinary vote issuing points for all divisions within that state.

6.5.2 The use of PDAs involves certain risks including the physical security of the items, and security of data held on the PDAs. The AEC managed those risks by developing comprehensive training programs and security policies. DROs delivered a training program at face-to-face sessions for Inquiry Officers and Queue Controllers involved in the PDA trial. To enhance security, the data card in the PDA contained the same data as the publicly available electoral roll (i.e. no date of birth or gender details), and contained an automatic erasure facility that caused the data to be deleted late on polling day evening. An asset tracking record was developed to maintain physical security of the PDAs.

7. FINANCE

7.1 2007 election expenditure

7.1.1 The AEC does not receive a standing appropriation to cover the costs of conducting an election; rather funding is incorporated into the annual appropriations with total funding peaking in an election year. The AEC has to manage cost pressures (many of which are outside its control) from within its departmental operating budget. An example of such a cost pressure is the growth in the eligible enrolment and voting population between electoral events. The AEC does not receive supplementation for pressures such as this - the AEC's operating budget for the next event is based on funding from the last event plus (or minus) any funding from Budget Measures implemented over the cycle. The AEC must maintain capacity to absorb cost pressures over electoral events, however this is not a straightforward matter. There is constant and increasing tension between the prescription embodied in the CEA and the Efficiency Dividend regime applied to the AEC's budget. This tension was clearly evident over the 2007 election cycle.

7.1.2 The AEC's total annual appropriations (excluding public funding for parties and candidates) for the last three financial years were:

2005-06	\$95.5 million
2006-07	\$109.8 million
2007-08	\$183.7 million

7.1.3 Whilst an election itself occurs within a financial year, total election expenditure is likely to occur over two financial years. This was the case for the 2007 election where the election was in 2007/08 but significant amounts of advertising and enrolment stimulation activities were undertaken in 2006/07.

7.1.4 The total cost of the 2007 election was \$162.2 million (GST exclusive). This comprises \$113.2 million in AEC departmental expenses and public funding payments of \$49.0 million. A summary of the expenses incurred is provided in **table 7.1**.

7.1.5 The cost of the 2007 election represents an increase of \$44.9 million, or 38 per cent, compared to the reported cost of the 2004 election. The cost per elector for the 2007 election (excluding public funding) was \$8.29. This represents a real increase of 30 per cent compared to 2004, when the cost per elector (in constant 2007 prices) was \$6.38. Major increases in expenses relative to 2004 were a \$7.1 million increase in public funding, a \$19.4 million increase in advertising/media and a \$5.5 million increase in employee expenses.

7.1.6 Given the introduction of POI and changes to the close of rolls timetable, the AEC made every possible effort to ensure the electoral roll was accurate for the 2007 election by undertaking a number of enrolment initiatives. Two significant initiatives to achieve this goal were Targeted Enrolment Stimulation (TES) (see part 2.3) and the enhanced public

awareness and advertising strategy (see part 3.2). TES cost \$6 million and the public awareness and advertising strategy cost \$29 million. In order to deliver these two initiatives, successfully conduct the election and maintain normal business activities, the AEC sought approval from the then Minister for Finance and Administration to incur operating losses of \$7 million and \$10 million in 2006-07 and 2007-08, respectively. The loss in 2006-07 was largely the result of TES. The loss in 2007-08 was largely the result of enrolment-related advertising in the lead up to the 2007 election. The AEC financed the losses from cash reserves accumulated in previous years, however, the resulting depletion in cash reserves means the AEC cannot accommodate further losses over the next electoral cycle given its financial position.

Table 7.1 - 2007 Election Expenditure to 30 April 2008

EXPENSES	\$ Amount
Employee expenses	42,466,087
Property, office supplies and services (inc. venue hire, security, stationery)	6,186,750
Election cardboard and supplies (inc. electoral forms, envelopes, ballot paper, screens)	4,560,189
Contractors (inc. DFAT services, NTR, scrutiny)	1,930,722
Consultancy	1,244,097
Travel	2,747,900
Advertising, promotion and media services	29,544,339
ITC services	10,682,556
Mailing and freight services	8,215,186
Printing and publications	4,610,041
Legal services	342,148
Other expenses	632,844
Sub total	113,162,860
Public funding	49,002,639
TOTAL EXPENSES	162,165,498

7.1.7 As discussed in part 4.4 issuing and counting the increased number of declaration votes increases the cost of the election. For example, the casual staff resources required for processing declaration votes exceed ordinary votes by a factor of five to one. The growth in declaration votes (including pre-poll votes) means the AEC has to provide significant capacity for attendance voting and non-attendance voting, with a consequent increase in costs.

7.1.8 New initiatives which added to total expenditure included the electronic voting trial for the vision impaired and the defence forces, which cost \$2.8 million (as at 30 April 2008).

7.1.9 The AEC experienced overall increases in election expenditure, including the following (figures as at 30 April 2008).

- A one-off pay increase of only 5 per cent pay for polling officials since 2004.
- Increased staffing costs. Approximately 70,000 temporary staff positions were filled during the 2007 election period, an increase of approximately 2,300 compared to 2004.
- The electronic voting trials (\$2.8 million).
- A 30% increase in venue hire costs - \$3.3 million in 2007 compared to \$2.5 million in 2004.
- Increased costs for the Virtual Tally Room and National Tally Room.
- Expanded pre-poll services. In 2007 there were 429 pre-poll centres an increase of 120 compared to 2004.
- Increased mobile polling services.
- Increased enrolment stimulation exercises.
- Other general cost increases.
- Advertising.

7.1.10 Whilst new and expanding initiatives may account for a significant proportion of the overall election expenditure when compared to the 2004 election it is clear that the general costs of running an election are increasing. There is an increasing cost in adopting modern technology into the electoral process. The expanded use of the internet (especially the VTR), e-voting and use of PDAs all come at a cost that is increasing the overall cost of elections.

7.1.11 Further increases in the number of electors, the growth in demand for declaration votes, cost pressures from pay rises and election premises hire are proving difficult for the AEC to manage under the current efficiency dividend regime, given the AEC has limited flexibility in its current business model.

7.1.12 The AEC's funding for 2007-08 was also reduced by \$0.8 million as a result of the increased efficiency dividend. The AEC at the time expressed its concern to the Department of Finance and Deregulation regarding the impact of the application of the increase to the organisation's total appropriation for 2007-08 including the 2007 election. The AEC acknowledged that the quantum of the increase (0.46%) was a recognition of the fact that it was being imposed half way through the year, but expressed a belief that the AEC's particular circumstances in 2007-08 needed to be acknowledged. By definition, the AEC had delivered most election activities (including polling day itself) before the measure was introduced. The AEC had expended three quarters (approximately \$146m) of its 2007-08 appropriation by the end of 2007 and \$88m of that was for the election. The AEC was, of course, unable to apply efficiencies retrospectively to that \$88m. The increased Dividend also applied to election specific funding received by the AEC through the

government of the day's response to JSCEM. The AEC, having already made a substantial commitment to bringing the electoral roll up to date prior to the election (on a scale which made it necessary to obtain approval for an operating loss), was left with no means of clawing back savings on expenses and commitments already passed at that point, including those directed to bringing the roll up to date. Increasing the Dividend after the fact leveraged it across the election expenses already incurred. To contain the operating loss to the approved limit of \$10 million in 2007-08, the AEC has had to reduce staffing levels by approximately 50 full time equivalents since January 2008, and scale back non-election activities over the same period.

7.1.13 To provide all the services and products related to the 2007 election the AEC, over the last two financial years, will incur combined losses of up to \$17 million. This is of course not sustainable in the longer run. Looking to the next cycle, the AEC will need to consider its funding base and contemplate revisions to its business model in order to meet the demands of the efficiency dividend regime whilst still ensuring the successful delivery of the election and maintaining the accuracy of the electoral roll.

7.1.14 If the AEC retains its current business model through to the 2010 election, the AEC's indicative estimate of the cost of the 2010 election (in 2010 dollars, excluding public funding) is \$135 million. This estimate provides for a slight increase in the scale of public awareness leading up to the event to ensure the accuracy of the electoral roll, but does not take account of increases in the eligible enrolment and voting population. Further, it does not take account of Government policy initiatives that may impact the AEC over the next cycle such as emissions trading and the rise of "green" procurement. Given the AEC's dependency on paper, property and logistics, the AEC is exposed to cost increases these initiatives might bring.

7.1.15 Assuming an election cost of \$135 million for the 2010 election, the AEC will require significant additional funding (excluding public funding) over the next electoral cycle to meet its obligations under the CEA and avoid further operating losses. The AEC will be pursuing this as part of the normal budgetary process, but to the extent that the AEC is unsuccessful it will result in less polling places and reduced staff, both leading to increased queues at polling places and an increase in the time taken to count votes.

8. SUMMARY OF RECOMMENDATIONS

Recommendation 1

The AEC recommends that:

- (i) tier 1 POI be retained;
- (ii) further research be conducted into possible new models for tiers 2 and 3, focussing on whether POI in its current shape is presenting barriers to enfranchisement for some societal groups; and
- (iii) if the JSCEM is of the view that urgent action is needed, tiers 2 and 3 be simplified into a single tier, under which those who do not possess a driver's licence number will be able to enrol if their enrolment forms are witnessed by another person on the Commonwealth roll.

Recommendation 2

The AEC recommends retaining a POI requirement for enrolment for first time enrolees only. These measures should be discussed with states and territories to ensure harmony in enrolment criteria for the joint roll, and to make sure enrolment requirements are not overly prescriptive.

Recommendation 3

The AEC recommends that sections 99A and 99B be repealed and replaced with a single section dealing with provisional enrolment for potential new citizens.

Recommendation 4

To ensure accuracy and completeness of the electoral roll, the AEC recommends that it be funded to undertake a comprehensive communications strategy similar to that used in 2007 on an ongoing basis, with particular emphasis in the nine to twelve months prior to an expected election.

Recommendation 5

The AEC recommends that if the continued staging of the NTR is desired by the Parliament, the AEC must receive additional funding, either through the budget or through charging, to cover associated costs.

Recommendation 6

The AEC recommends that the CEA be amended to require “party” PVAs to be returned directly from the elector to the AEC.

Recommendation 7

The AEC recommends that the JSCEM consider the implications of the trend towards an increase in early voting, and move to mitigate the impact of the trend by adopting the recommendations in this submission.

Recommendation 8

The AEC recommends that the CEA be amended to allow those voters who qualify for a pre-poll vote to be able to cast an ordinary vote, instead of a declaration vote, if they attend an early voting centre in their home division

Recommendation 9

The AEC recommends that the requirement for production of identity documents by provisional voters should be repealed.

Recommendation 10

The AEC recommends that the 2006 amendment set out at **paragraph 4.6.14** above be repealed, and that the CEA provide that where a declaration voter has been previously removed from the roll by objection action on the ground of non-residence, then:

- (i) if his or her address at the time of voting is within the division for which he or she was previously enrolled, his or her House of Representatives and Senate votes will be counted; but
- (ii) if his or her address at the time of voting is in a different division in the same state/territory, his or her Senate vote will be counted, but his or her House of Representatives vote will not be counted.

Recommendation 11

The AEC recommends that the CEA be amended to enable the provision of mobile polling at town camps such as in Darwin and Alice Springs.

Recommendation 12

The AEC recommends that the definition of a “hospital” and a “special hospital” be amended to reflect the current definitions of aged care under the

Aged Care Act 1997, and that provision be made for any person in a residential aged care facility, including staff, to be able to vote.

Recommendation 13

The AEC recommends that the CEA be amended to extend the time period for conducting special hospital polling to the twelve days before polling day.

Recommendation 14

The AEC recommends that Parliament consider amending the CEA to provide for further secure, remote electronic voting at the next federal election, and that eligibility should be extended to include members of the Australian Federal Police serving overseas, remotely posted AusAID or DFAT staff, and Antarctic electors as well as ADF personnel serving overseas.

Recommendation 15

The AEC recommends that Parliament legislate for further use of electronically assisted voting machines at the next federal election, and that eligibility for their use should be extended to voters experiencing other forms of print disability as well as those experiencing blindness and impaired vision.

Recommendation 16

The AEC recommends that the CEA be amended to provide the AEC with a range of options for dealing with electoral offences, including:

- warning letters for technical breaches;
- public shaming and reports to Parliament for more serious breaches;
- compliance agreements that are signed and published on the internet that acknowledge the breach and agreed steps to prevent future breaches;
- civil penalties; and
- withholding election funding for continuing breaches.

Recommendation 17

The AEC recommends that the JSCEM may wish to consider conducting a separate inquiry on the role and regulation of the internet in elections to allow consultation with the relevant stakeholders.

Recommendation 18

The AEC recommends that online update of enrolment details, accessible by electors whose identities have been verified through the POI process, be provided for in the CEA.

Recommendation 19

The AEC recommends that sections 4, 94(1), 94A(2), 95(2), 96(2), 98(2), 99A(4), 99B(2) and 104(1) of the CEA be amended to provide a flexible regime for the authorisation by the AEC of enrolment forms, which will:

- allow a number of versions of an approved form;
- enable forms to be tailored to the needs of specific target groups; and
- facilitate online transactions.

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Annex 1 – Outcomes of the 2004 JSCEM Recommendations

2004 JSCEM Recommendation		Outcome
1	<p>Display of enrolment forms</p> <p>The Committee recommends that the Commonwealth Electoral Act be amended to require that electoral enrolment forms, AEC reply paid envelopes and enrolment promotional material be prominently displayed at all times in every Australia Post, Medicare, Centrelink and Rural Transaction Centre outlet, including any agency or sub-agency, to encourage electors and potential electors to meet enrolment obligations. Further, all such material should be displayed without fee to the Commonwealth.</p>	<p>For a discussion of the actions the AEC took in response to this recommendation see paragraph 2.3.4 to 2.3.7 and for a discussion on sources of enrolment forms see paragraph 2.3.1 to 2.3.3.</p>
2	<p>Enrolment and Voting</p> <p>The Committee recommends that:</p> <ul style="list-style-type: none"> • the AEC formulate, implement and report against a detailed, ongoing, action plan to promote and encourage enrolment and voting among persons and groups experiencing difficulty because of social circumstance; • that such persons and groups should include, but not be limited, to homeless and itinerant persons, illiterate persons, persons with disabilities and residents of isolated and remote areas; • the AEC consult with and consider the views of organisations and groups representing homeless and itinerant persons, illiterate persons, persons with disabilities, residents of remote localities, 	<p>This is an ongoing challenge for the AEC. As mentioned in part 3 of this submission the AEC had a comprehensive communications strategy for the 2007 federal election, which incorporated strategies to promote enrolment and voting in a number of special target audiences.</p> <p>With relation to people experiencing homelessness the AEC identified that mobile polling may be a way to reach these electors. However this was not possible to implement to restrictions in the CEA, for further discussion see Annex 5, paragraphs A5.2.21 to A5.2.24.</p> <p>The AEC undertook consultation with representative organisation for people experiencing homelessness and people with disabilities. NACARAS was the</p>

	<p>and other appropriate bodies, to formulate appropriate strategies, programs and materials for use when the action plan is implemented;</p> <ul style="list-style-type: none"> • the AEC report back to the Committee prior to the next Federal Election with details of its action plan and implementation strategies; • where appropriate, adequate funding be provided to enable the AEC to develop, implement and report against the action plan; and • that following the next Federal Election, the AEC seek feedback from representative groups and community members regarding the effectiveness of the strategies implemented, and further develops its action plan to incorporate constructive suggestions where appropriate. 	<p>tool with which consultations with rural and remote electors was pursued, for further discussion see part 3.3.</p> <p>The AEC is currently in the process of gaining feedback from representative groups regarding the effectiveness of the communications strategy for the 2007 election.</p>
3	<p>Proof of identity for enrolment</p> <p>The Committee recommends that the Commonwealth Electoral Act be amended to require all applicants for enrolment, re-enrolment or change of enrolment details be required to verify their identity and address.</p> <p>Regulations should be enacted as soon as possible to require persons applying to enrol or change their enrolment details, to verify their identity and address to the AEC by:</p> <ul style="list-style-type: none"> • showing or producing an acceptable identification document and a proof of address document to the AEC or a person who can attest a claim for enrolment; or 	<p>For a discussion of the changes to legislation in relation to proof of identity see Annex 3, paragraph A3.2.6.</p> <p>For a discussion of the implementation of POI for enrolment see part 2.4.</p>

	<ul style="list-style-type: none"> • where such proof of identity documents cannot be provided, by supplying written references given by any two persons on the electoral roll who can confirm the enrollee's identity and by supplying a proof of address document: <ul style="list-style-type: none"> - persons supplying references must have known the enrollee for at least one month and must show their own acceptable identification document or supply their drivers licence numbers to the AEC); and • enrollees should have the choice of providing the required documents in person to the AEC, or a person who can attest a claim for enrolment, or by posting or faxing the required documents or certified copies to the AEC with the enrolment form to which they relate; and • where certified copies of acceptable documents are posted or faxed to the AEC, they must be certified by the enrollee to be true copies and witnessed by an elector enrolled on the electoral roll. <p>Where the AEC or a person who can attest a claim for enrolment receives original documents from an enrollee, the AEC must return the documents to the enrollee by hand, registered mail or other means agreed to by the enrollee.</p>	
4	<p>Close of rolls and public education</p> <p>The Committee recommends that Section 155 of the Commonwealth Electoral Act be amended to provide that</p>	Please refer to recommendation 5 below.

	the date and time fixed for the close of the rolls be 8.00p.m. on the day of the writs.	
5	<p>Close of rolls and public education</p> <p>The Committee recommends:</p> <ul style="list-style-type: none"> • Section 155 of the Commonwealth Electoral Act should be amended to provide for the date and time of the closing of the rolls as soon as possible within the life of the 41st Parliament; • that the amendment to section 155 be given wide publicity by the Government and the AEC; • that the AEC be required to undertake a comprehensive public information and education campaign to make electors aware of the changed close of rolls arrangements in the lead up to the next Federal Election; • that the AEC review, and where appropriate amend, the wording of all enrolment related forms, letters, promotional material and advertising used for enrolment related activities to include a notification to electors that the rolls will close on the day of the issue of the writs for Federal Elections and referenda; and • that appropriate funding be made available to the AEC so it may comply with these and other recommendations agreed to by the Government. 	<p>For a discussion of the changes to legislation in relation to the two deadlines for close of rolls see Annex 3 paragraphs A3.2.2 to A3.2.5 of this submission.</p> <p>With relation to the widespread communications strategy undertaken by the AEC, which incorporated informing electors about the close of roll deadlines, please refer to part 3 of this submission.</p> <p>In the lead up to the election, the AEC undertook a review of the written material distributed to electors. This review included “market testing” conducted in June 2007. As a result of this review the written material distributed to electors has been progressively amended to improve readability.</p> <p>For information regarding the funding of the communication strategy please refer to part 7.</p>
6	<p>Strategies to lift enrolment</p> <p>The Committee recommends that:</p> <ul style="list-style-type: none"> • the Commonwealth Electoral Act be amended to expand the demand power to allow the AEC 	<p>For a discussion of changes to legislation in relation to the demand power please refer to Annex 3 paragraph A3.2.7 of this submission.</p>

	<p>direct access to State and Territory government agency data;</p> <ul style="list-style-type: none"> • the AEC continue with its Continuous Roll Update (CRU) processes as the principal method for reviewing the electoral roll; • the AEC remain focussed and innovative in relation to CRU, in order to continue to develop and refine those processes to maintain and enhance the integrity of the electoral roll; and • the AEC consider and report on the implications of the Direct Address Change proposal (contained in Submission No. 136) and provide a detailed report to the Committee on its findings by the end of 2005. 	<p>For a discussion of strategies to lift enrolment at part 2.3 of this submission.</p> <p>For a discussion of effective use of direct address update from trusted sources please see part 6.3 of this submission.</p>
7	<p>Postal voting</p> <p>The Committee recommends:</p> <ul style="list-style-type: none"> • that the AEC continue to develop and utilise the Automated Postal Vote Issuing System (APVIS) to support the distribution of postal voting material for future elections; • that AEC computer and data recording and retrieval systems be upgraded to allow real-time information to be extracted by DROs, AEC staff handling enquiries and call centre staff, on the progress of the production of postal voting material for individual postal voters; • that the AEC consult with Australia Post and, if Australia Post holds and is able to supply the necessary data to the AEC, the AEC modify the Roll Management System (RMANS) so that that 	<p>A major concern that arose from the 2004 federal election was postal voting. In light of these concerns the AEC undertook an extensive review of the postal voting system and reported back to the 2004 JSCEM with recommendations for improving the postal voting system for the 2007 federal election. The postal voting system has undergone significant improvement since the 2004 federal election, for a review of the conduct of postal voting at the 2007 federal election please see part 4.3 of this submission.</p>

	<p>matters relevant to the postal delivery schedules applicable to the delivery points at the postal address, or in the postcode area, of the applicant are available to the DRO at the time the decision is made whether an application should go to Central or Local print;</p> <ul style="list-style-type: none"> • that Australia Post provide the data required for upgrading the AEC's systems at no cost to the Commonwealth; • that the flexibility to determine whether postal voting material should be produced centrally or through a local computer-based system in the office of DROs be retained; and • that if the AEC modifies RMANS so that that matters relevant to the postal delivery schedules are available to DROs, the DRO must use such information when making the decision about whether an application should go to Central or Local print. 	
8	<p>Funding</p> <p>The Committee recommends:</p> <ul style="list-style-type: none"> • that the AEC ensure that sufficient and continuing resources are available to the Election Systems and Policy Section in non-election periods and that these levels be supplemented as appropriate in the lead up to and during election periods; • that the AEC apply appropriately rigorous and correct procurement practices in order to identify and enter into a contractual agreement with suitable provider/providers for the provision of APVIS services; and 	For a discussion of funding please see part 7 of this submission.

	<ul style="list-style-type: none"> that the AEC apply contemporary best practice to the project management and contract management of APVIS, including undertaking the activities outlined in Recommendation 16 of the Minter Ellison report into postal voting. 	
9	<p>Legislative amendment</p> <p>The Committee recommends:</p> <ul style="list-style-type: none"> that the <i>Electronic Transaction Regulations 2000</i> be amended to permit electors to submit an application for a postal vote or an application to become a general postal voter, by scanning and e-mailing the appropriate form to the AEC; that the Commonwealth Electoral Act be amended to specifically permit eligible overseas electors and Australian Defence Force and Australian Federal Police personnel serving overseas to become general postal voters; that the Commonwealth Electoral Act be amended to provide that: <ul style="list-style-type: none"> - for postal vote applications received up to and including the last mail on the Friday eight days before polling day, the AEC be required to deliver the postal voting material to the applicant by post unless otherwise specified by the applicant; - for postal vote applications received after the last mail on the Friday eight days before polling day and up to and including the last mail on the Wednesday before polling day, the AEC be required to post or otherwise deliver the postal voting material by the most practical means 	<p>There is an increasing trend for electronic engagement with government. The AEC has identified some key areas for improvement in electronic engagement now and in the future; please see part 6 of this submission for full discussion.</p> <p>For an outline of the legislative changes please refer to Annex 3 paragraph A3.3.3 of this submission.</p> <p>For an outline of legislative amendments relating to this topic please refer to Annex 3 paragraph A3.3.4 and A3.3.5 of this submission.</p>

	<p>possible; and</p> <ul style="list-style-type: none"> - for postal vote applications received after the last mail on the Wednesday before polling day, the applications be rejected on the grounds that delivery of postal voting material cannot be guaranteed. Reasonable efforts should be made to contact the applicants to advise them of the need to vote by other means. • that the Commonwealth Electoral Act and the Referendum (Machinery Provisions) Act be amended to allow electors to return their postal votes to any employee of the AEC by any convenient means, and to require the AEC to then deliver the postal vote to the appropriate Divisional Returning Officer within 13 days after polling day. 	<p>This change was implemented by the <i>Electoral and Referendum Legislation Amendment Act 2007</i>.</p>
10	<p>Postal voting</p> <p>The Committee recommends:</p> <ul style="list-style-type: none"> • that the Commonwealth Electoral Act and the Referendum (Machinery Provisions) Act be amended so that postal voters are required to confirm by signing on the postal vote certificate envelope a statement such as “I certify that I completed all voting action on the attached ballot paper/s prior to the date/time of closing of the poll in the electoral division for which I am enrolled”; • that the Commonwealth Electoral Act and the Referendum (Machinery Provisions) Act be amended to allow the date of the witness’s signature, not the postmark, to be used to determine whether a postal vote was cast prior to 	<p>These legislative changes were not implemented by Parliament; consequently no action was taken by the AEC.</p>

	close of polling.	
11	<p>Postal voting</p> <p>The Committee recommends that the AEC:</p> <ul style="list-style-type: none"> • amend the General Postal Voter application form to indicate that the completed form can be returned to the AEC by fax; • amend the Postal Vote Application form to allow an applicant, if they choose to do so, to nominate a date by which they require the postal voting material to be delivered to the postal address nominated; • highlight the difficulties associated with electors leaving it to the last week in the election period to lodge postal vote applications in the public education campaign associated with the next election; • take steps through its public education activities to ensure that the public is informed of the importance of having a witness date on postal vote certificate envelopes; and • devise appropriate penalties for voters who provide false witness or who are otherwise in default of the requirements. 	<p>Implemented for the 2007 election.</p> <p>Implemented for the 2007 election.</p> <p>For a description of the communication strategy undertaken in the lead up to the 2007 federal election please refer to part 3.</p>
12	<p>Information during the election period</p> <p>The Committee recommends that prior to the next election:</p> <p>The AEC discusses with the Minister's office options for establishing a process for the provision of information about emerging issues during the election period;</p>	<p>The AEC consulted with stakeholders and developed a protocol for the 2007 election.</p>

	<p>including:</p> <ul style="list-style-type: none"> • how and to whom requests for urgent briefing are to be handled; • identifying which staff are to be involved; and • how issues are to be followed up and reported on, by the AEC; <p>And, that following those discussions:</p> <ul style="list-style-type: none"> • the AEC formulate guidelines reflecting the outcome of those discussions and make them available to all relevant parties prior to the commencement of the election period. 	
13	<p>Postal vote certificate</p> <p>The Committee recommends that the AEC:</p> <ul style="list-style-type: none"> • consult widely with stakeholders, including political parties, Commonwealth State and Territory Privacy Commissioners, privacy advocates and others, in order to canvass possible solutions to the privacy issue, that will not require a return to double enveloping; and • report back to the Committee before the end of June 2006, with details of its consultations, and provide the Committee with recommendations about how the AEC should address the privacy concerns of electors, whilst minimising the number of ballot excluded from the count. 	<p>The AEC undertook recommended consultation and it was decided that the best course of action would be to remove elector' date of birth information from the postal vote certificate. Further to this the AEC informed electors in the postal vote material supplied that electors had the option to place postal vote certificates in an envelope before returning the postal vote to the AEC.</p>
14	<p>Information from political parties</p> <p>The Committee recommends that political parties and candidates should ensure that any material they provide</p>	<p>No action required by the AEC.</p>

	to electors in advance of the writ issue or public announcement of the election date, advises electors of the relevant provisions relating to the lodgement of postal vote applications.	
15	<p>Pre-poll centres</p> <p>The Committee recommends that the AEC should review its pre-polling arrangements with a view to ensuring that, wherever practical, pre-poll centres are located at appropriate Commonwealth, State or Territory government, or local government, agencies in regional areas.</p>	The AEC implemented these recommendations for the 2007 federal election, introducing pre-poll centres to some courthouses in Queensland, shopping centres and airports. For a full discussion of this issue please refer to part 4.2 of this submission.
16	<p>Urgent pre-poll centres</p> <p>The Committee recommends that the Commonwealth Electoral Act and the Referendum (Machinery Provisions) Act be amended to provide that:</p> <ul style="list-style-type: none"> • the AEC may set up and operate pre-poll voting centres in circumstances and locations where the AEC is required to quickly ensure that electors are able to cast votes; and • in such circumstances, to require the AEC to do everything it practically can to advise relevant candidates, political parties and other stakeholders of: <ul style="list-style-type: none"> - the circumstances which prevail and require the AEC to take such action; - the location, dates and times on which the AEC proposes to operate the pre-poll centre; and • to require the AEC to Gazette the pre-poll centre or centres as soon as practicable after it becomes 	For an outline of the legislative changes please refer to Annex 3 paragraph A3.3.7 and A3.3.8 of this submission.

	aware of the circumstances that require it to set up and operate the centre or centres	
17	<p>Publication of pre-poll centres</p> <p>The Committee recommends:</p> <ul style="list-style-type: none"> • that the AEC comprehensively publicise the location of all pre-poll voting centres; and • that the AEC ensure that standardised, prominent signage is used to identify pre-polling centres, so that electors and other stakeholders can immediately recognise and locate them from the day of opening and throughout election day. 	For the 2007 federal election the AEC publicised location of early voting centres in major newspapers. The AEC also introduced the polling place locator facility which provides this information and was available for electors to access through the AEC website and election call Centre. In addition, a suite of signage was developed that catered for a variety of different building locations and configurations, this signage was provided to pre-poll voting centres.
18	<p>Registration of political parties</p> <p>The Committee recommends that the Commonwealth Electoral Act be amended to expand the definition of an eligible political party so that:</p> <p><i>Eligible political party</i> means a political party that is either:</p> <ul style="list-style-type: none"> • a parliamentary party; or • a political party that has at least 500 financial members who are currently enrolled on the electoral roll; and • is established on the basis of a written constitution that incorporates the minimum requirements for the constitution of a registered political party contained in the Commonwealth Electoral Act and complies with the State or Territory legislation to the extent that it applies. 	These legislative changes were not implemented by Parliament; consequently no action was taken by the AEC.
19	Registration of political parties	

	<p>The Committee recommends that the Commonwealth Electoral Act be amended to provide minimum requirements for the constitution of a registered political party.</p> <p>Potential minimum requirements would include:</p> <ul style="list-style-type: none"> • a clear indication that it is a political party; • a statement that it intends to participate in the Federal Election process; • certain minimum requirements in relation to its operations, specifically that it: <ul style="list-style-type: none"> - be written; - include the aims of the party, one of which must be the endorsement of candidates to contest Federal Elections; - include the process by which the party is managed in respect of its administration, management and financial management; - set out requirements for becoming a member, maintaining membership and ceasing to be a member; - outline the process for the election of office holders (including, but not limited to, the registered officer, the Executive and any committees); - detail the party structure; - detail the procedure for amending the constitution; - detail the procedures for winding up the party. 	<p>These legislative changes were not implemented by Parliament; consequently no action was taken by the AEC.</p>
20	Registration of political parties	

	<p>The Committee recommends that the Commonwealth Electoral Act be amended to provide for the:</p> <ul style="list-style-type: none"> • Deregistration of all political parties that are not parliamentary parties (as defined in section 123 of the Commonwealth Electoral Act) or are parties that have had past representation in the Federal Parliament; and that: • all existing parliamentary parties and those with past representation remain registered, but be required (where appropriate) to prove that they meet the requirements for a parliamentary party: <ul style="list-style-type: none"> - where a parliamentary party has proven that it meets the relevant requirements during the life of the 41st Parliament, it will not be required to provide further proof; - where a parliamentary party has not proven its status as a parliamentary party during the 41st Parliament, it will be required to prove this by indicating which sitting member it relies on for its status; - where a party claims that it has past representation in the federal Parliament, it will be required to prove this by indicating which past member it relies on for its status. • all other parties would have to apply for re-registration, at which point they must comply with the amended registration requirements in the CEA, including the existing naming provisions contained in section 129; • where a political party applies for registration using a name which does not conform with the requirements of section 129 of the CEA, the 	<p>For a brief outline of legislative changes related to this topic please refer to Annex 3 paragraphs A3.2.16 to A3.2.18 of this submission.</p>
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	<p>Electoral Commission shall refuse such registration;</p> <ul style="list-style-type: none"> • where the AEC refuses such application for registration, it must notify the applicant party that it is bound to refuse the registration and give the applicant party an opportunity to vary the original application; • if the applicant party fails to vary the application the AEC shall refuse the registration; and • all amended registration requirements must also be met in any case where a registered political party applies to change its registered name; or its registration is reviewed by the AEC in accordance with section 138A of the CEA. 	
21	<p>Registration of political parties</p> <p>The Committee recommends that the AEC be given appropriate funding to meet the additional obligations associated with de-registration and reregistration.</p>	Supported by the government.
22	<p>Polling booth staff</p> <p>The Committee recommends that the AEC review the proportion of its election budget allocated to training polling booth staff.</p>	2004 JSCEM have received advice on this issue.
23	<p>Polling booth staff</p> <p>The Committee recommends that the AEC ensure that it has sufficient staff to meet peak demands at known busy polling places, if need be through the use of casual staffing at peak times.</p>	Implemented for the 2007 election.

24	<p>Joint polling booths</p> <p>The Committee recommends that the AEC increase the thresholds for joint polling booths to a level to be determined through consultation with the JSCEM.</p>	<p>The AEC raised the threshold of declaration vote issuing points for joint polling booths from 240 to 300 for the 2007 election, and reviewed the need for all joint polling booths under the new threshold.</p>
25	<p>Proof of Identity for provisional voting</p> <p>The Committee recommends that, at the next Federal Election, those wishing to cast a provisional vote should produce photographic identification.</p> <p>Voters unable to do so at the polling booth on election day would be permitted to vote, but their ballots would not be included in the count unless they provide the necessary documentation to the DRO by close of business on the Friday following election day. Where it was impracticable for an elector to attend a DRO's office, a photocopy of the identification, either faxed or mailed to the DRO, would be acceptable.</p> <p>Those who do not possess photographic identification should present one of the other forms of identification acceptable to the AEC for enrolment.</p>	<p>For an outline of the legislative changes please see Annex 3 paragraph A3.2.11, a further full discussion of this issue is at part 4.6 of this submission.</p>
26	<p>Franchise of marginalised citizens</p> <p>The Committee recommends that the AEC continue its consultations with relevant parties and prior to the next Federal Election, as part of improving access to the franchise by those experiencing homelessness, as a minimum:</p> <ul style="list-style-type: none"> • target homeless persons in its public awareness campaigns, informing them about itinerant elector and other voting enrolment and options; and 	<p>Please see outcomes at recommendation 2 above.</p>

	<ul style="list-style-type: none"> ensure that its training programs alert AEC staff to the needs of the homeless and other marginalised citizens. 	
27	<p>Trial electronic voting</p> <p>The Committee recommends that the AEC consult with appropriate organisations to establish appropriate experimental arrangements to assist the blind and visually impaired to cast a secret ballot at the next Federal Election.</p>	<p>The AEC established a reference group to inform the development of a trial of electronic voting for voters who are blind or vision impaired. The reference group included representatives from Vision Australia, Australian Federation of Disability Organisations, Blind Citizens of Australia, Radio for the Print Handicapped and the Human Rights and Equal Opportunity Commissioner. The AEC also engaged an experienced accessibility and useability expert to advise on the interface of the software.</p>
28	<p>Disability action plan</p> <p>The Committee recommends that, as a future direction, the AEC consult with relevant organisations representing people with disabilities to develop a disability action plan covering the full spectrum of access issues faced.</p>	<p>The AEC has reviewed its disability action plan and drafted a new plan for 2008 to 2010 in consultation with the disability advisory group. The disability advisory group consisted of organisations representing people with a disability. The current disability action plan for the period 2008-2011 is available on the AEC website at; http://www.aec.gov.au/About_AEC/Publications/disability_action_plan/index.htm</p>
29	<p>Proof of identity on polling day</p> <p>The Committee does not support the introduction of proof of identity requirements for general voters on polling day at the next election.</p> <p>Instead, the Committee recommends that the AEC report to the JSCEM on the operation of proof of identity arrangements internationally, and on how such systems might operate on polling day in Australia.</p>	<p>The AEC continues to monitor the issue of proof of identity arrangements internationally.</p>
30	<p>Proof of identity on polling day</p> <p>The Committee recommends that, at the next Federal Election, the AEC encourage voters to voluntarily present photographic identification in the form of a driver's licence to assist in marking off the electoral roll.</p>	<p>The government noted this recommendation and wished to give it further consideration; consequently no action was required by the AEC.</p>

31	<p>Informal voting</p> <p>The Committee recommends that the AEC increase its efforts to improve understanding of the voting system and reduce the informal vote in electorates with a high percentage of constituents from non-English speaking backgrounds, including by development of new and innovative strategies.</p>	<p>In 2007, the AEC undertook a number of initiatives to reduce informal voting by CALD electors. These strategies are discussed in detail at part 4.10.</p>
32	<p>Four year terms</p> <p>The Committee recommends that there be four-year terms for the House of Representatives.</p>	<p>No action required by the AEC</p>
33	<p>Four year terms</p> <p>The Committee recommends that the Government promote public discussion and advocacy for the introduction of four-year terms during the remainder of the current Federal Parliament.</p>	<p>No action required by the AEC</p>
34	<p>Senate terms</p> <p>The Committee recommends that, in the course of such public discussion, consideration be given to the application of consequential changes to the length of the Senate term, and in particular, Senate Options 1 and 2, as set out in this chapter.</p>	<p>No action required by the AEC</p>
35	<p>Referendum on parliamentary terms</p> <p>The Committee recommends that proposals be put to the Australian public via a referendum at the time of the next Federal Election. If these proposals are successful, it is intended that they come into effect at the commencement of the parliamentary term following the subsequent Federal Election.</p>	<p>No action required by the AEC</p>

36	<p>Compulsory voting</p> <p>The Committee recommends that voluntary and compulsory voting be the subject of a future inquiry by the JSCEM.</p>	No action required by the AEC
37	<p>Compulsory preferential voting</p> <p>The Committee recommends that compulsory preferential voting above the line be introduced for Senate elections, while retaining the option of compulsory preferential voting below the line. Consequently, the practice of allowing for the lodgement of Group Voting Tickets be abolished. This would involve amendments to the Commonwealth Electoral Act, in particular the repeal of ss.211, 211A, 216, 239(2) and 239(3).</p>	These legislative changes were not implemented by Parliament; consequently no action was taken by the AEC.
38	<p>Compulsory preferential voting</p> <p>The Committee recommends that the system of compulsory preferential voting for the House of Representatives be retained.</p>	No action required by the AEC
39	<p>Education</p> <p>The Committee recommends that the AEC be resourced to conduct a public education campaign, in advance of the next Federal Election, to explain the changes to the above-the-line Senate voting system.</p> <p>In those States where the Commonwealth and State voting systems are different (i.e. New South Wales and Queensland), the AEC's education campaign should emphasise the necessity, in Federal Elections, of voting by the compulsory preferential, as opposed to the optional preferential, method.</p>	This recommendation was not supported by the government; consequently no action was taken by the AEC.

40	<p>Electronic checking on the roll</p> <p>The Committee recommends that the AEC investigate technology that could facilitate electronic checking of the electoral roll through networked polling places. In doing so, it will be beneficial to monitor any international developments in which such technology is utilised. The AEC should report back to the Committee about any major developments in this area.</p>	<p>The AEC continues to monitor this issue. At this stage, the AEC has not identified any major developments to report on to the Committee.</p>
41	<p>Trial of electronic voting</p> <p>The Committee recommends that a trial of an electronic voting system be implemented at an appropriate location in each electorate to assist blind and visually impaired people, who currently cannot cast a secret and independently verifiable vote.</p> <ul style="list-style-type: none"> • In terms of the type of electronic voting system, and the most appropriate locations, the AEC should liaise with relevant groups, and then report back to the Committee with its proposal. • Following the election, the AEC should report back to the Committee on all aspects of the trial. 	<p>The 2007 federal election saw a trial of remote electronic voting for ADF personnel serving overseas and electronically assisted voting for blind and vision impaired electors, for full discussion of these trials please refer to part 4.9 of this submission.</p>
42	<p>Trial of electronic voting</p> <p>The Committee recommends that the AEC identify, at an early stage, any legislative changes required to allow the paper ballot output of the system (whether electronic counting or a printed ballot paper) to be counted as a valid vote.</p>	<p>The 2007 federal election saw a trial of remote electronic voting for ADF personnel serving overseas and electronically assisted voting for blind and vision impaired electors, for full discussion of these trials please refer to part 4.9 of this submission.</p>
43	<p>Trial of electronic voting</p> <p>The Committee recommends that the AEC trial remote electronic voting for overseas Australian Defence Force</p>	<p>The 2007 federal election saw a trial of remote electronic voting for ADF personnel serving overseas and electronically assisted voting for blind and</p>

	and Australian Federal Police personnel, and for Australians living in the Antarctic. The AEC should develop a proposal that considers matters such as security and verification of identity, and report back to the Committee.	vision impaired electors, for full discussion of these trials please refer to part 4.9 of this submission.
44	Internet advertising The Committee recommends that the AEC review section 328 of the Commonwealth Electoral Act to devise authorisation requirements for electoral advertisements, as distinct from general commentary, on the internet.	For a brief description of this legislative change please refer to Annex 3, paragraph A3.2.13 . The AEC believes that political advertising on the Internet requires further discussion, for a comment on this issue please refer to part 5.2 of this submission.
45	Review The Committee recommends that the AEC review section 328 of the Commonwealth Electoral Act to enhance the accountability and transparency of the electoral process.	The government is currently preparing a green paper on accountability and transparency issues.
46	Defamation The Committee recommends that the Government give consideration to amendment of the Commonwealth Electoral Act to remove section 350, which carries criminal actions and penalties for defamation against electoral candidates.	For a brief description of this legislative change please refer to Annex 3 paragraph A3.3.9 .
47	Electoral signage The Committee recommends that the AEC assess local and state legislation governing electoral signage and determine whether the Commonwealth Electoral Act should be amended to preserve candidates' equivalent rights to display electoral advertising during an election period.	Work has been undertaken on this issue, however the complexity and interaction of the various layers of state and local government laws has resulted in the AEC being unable to complete this task with its available resources.
48	Misleading conduct	

	The Committee recommends that the AEC review Sections 340 and 348 of the Commonwealth Electoral Act with a view to addressing issues of “misleading conduct” on polling day.	Advice has been supplied to the government on this topic.
49	Disclosure threshold The Committee recommends that the disclosure threshold for political donations to candidates, political parties and associated entities be raised to amounts over \$10 000 for donors, candidates, political parties, and associated entities.	For a brief description of this legislative change please refer to Annex 3 paragraph A3.2.15.
50	CPI The Committee recommends that the threshold at which donors, candidates, Senate groups, political parties, and associated entities must disclose political donations should be indexed to the Consumer Price Index.	For a brief description of this legislative change please refer to Annex 3 paragraph A3.2.15.
51	Tax deduction The Committee recommends that the <i>Income Tax Assessment Act 1997</i> be amended to increase the tax deduction for a contribution to a political party, whether from an individual or a corporation, to an inflation indexed \$2,000 per year.	This recommendation was implemented in part, for a brief description of this legislative change please see Annex 3 paragraph A3.2.15.
52	Tax deduction That the <i>Income Tax Assessment Act 1997</i> be amended to provide that donations to an independent candidate, whether from an individual or a corporation, are tax deductible in the same manner and to the same level as donations to registered political parties.	This recommendation was implemented by the <i>Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Act 2006.</i>
53	Third parties	

	The Committee recommends that third parties be required to meet the same financial reporting requirements as political parties, associated entities, and donors.	For a brief description of this legislative change please refer to Annex 3 paragraph A3.2.15 .
54	<p>Education</p> <p>The Committee recommends that State, Territory and Federal education authorities coordinate their contributions to students' understanding and appreciation of Australia's system of government.</p>	This is subject to the outcomes of the JSCEM Inquiry into civics and electoral education tabled on the 18 June 2007. There has been no government response to this inquiry to date.
55	<p>Education</p> <p>The Committee recommends that State, Territory and Federal education authorities increase their financial contribution to enable students in grades five and six to visit the National Capital to further their understanding of democracy.</p>	This is subject to the outcomes of the JSCEM Inquiry into civics and electoral education tabled on the 18 June 2007. There has been no government response to this inquiry to date.
56	<p>Education</p> <p>The Committee recommends that the Parliament refer electoral education to the JSCEM for further examination and report.</p>	Please refer to the JSCEM Inquiry into civics and electoral education tabled on the 18 June 2007.

Annex 2 – Performance of collocated divisional offices

A2.1.1 The JSCEM report on the ‘Review of Certain Aspects of the administration of the AEC’ recommends that as part of the 2007 JSCEM inquiry the AEC report on the performance of all collocated divisions at the 2007 election.

A2.1.2 Before reporting on performance, it might be useful to repeat the definition of what is generally understood by the term “collocation” within the AEC. It should be pointed out that there has been some confusion between the terms “collocation” and “amalgamation” when used in the context of arrangements for divisional offices in the AEC by parties outside the AEC. There is an assumption that they are interchangeable and that all “collocated” divisional offices are “amalgamated”. In fact, the two terms describe different work arrangements.

A2.1.3 A “collocated” office is where two or more divisional offices share the same premises. Of a necessity, this means that at least one of the divisional offices is located outside the boundaries of its division. There are no changes to the staffing arrangements of the divisional offices in the collocation – each divisional office in a collocation is entitled to the same staffing profile as a “stand-alone” divisional office (an APS6, an APS3 and an APS2) comprising combinations of ongoing, non-ongoing and temporary staff.

A2.1.4 An element of collocation is common accommodation features, such as a shared counter and public area and a shared amenities area. Collocated divisions usually share some work across the offices. For example, a site might operate with a single roll management team, comprising most of the staff in the collocated office and headed by one of the Divisional Returning Officers (DROs), undertaking enrolment processing for all divisions in the collocation. It is important to note that in collocated offices, there is a DRO designated for, and appointed for, each of the separate divisions at all times.

A2.1.5 An “amalgamated” office is where two or more divisional offices share the same premises and the staffing of the divisional offices has been combined into a single structure. While the actual number of staff is usually the same (for example, if there are two divisions in the amalgamation there will be six staff), the staffing profile is not restricted to the same classifications as a “stand-alone” divisional office. There is an individual staff member on site with responsibility for the management of all the functions at the amalgamated site, but during an election a DRO is appointed for each division.

A2.1.6 It follows that, while all amalgamated offices must also be collocated, not all collocated offices are amalgamated, and in fact very few are.

A2.1.7 **Table A2.1** shows divisional offices (and where appropriate, State Offices) sharing premises, the location, the date the arrangements commenced, and whether the collocated divisional offices are amalgamated.

Table A2.1 - Divisional Offices in Shared Premises*

Offices	State	Location	Year started
Canberra / Fraser	ACT	Canberra City	1996
Banks / Blaxland	NSW	Bankstown	2008 <i>(i)</i>
Bennelong / Berowra / Bradfield / North Sydney	NSW	Chatswood	2003 <i>(ii)</i>
Fowler / Prospect	NSW	Fairfield	2007 <i>(i)</i>
Hunter / Paterson	NSW	East Maitland	2004
Macarthur / Werriwa	NSW	Campbelltown	2000
NSW State Office / Grayndler / Sydney / Wentworth	NSW	Haymarket	2000 <i>(iii)</i>
NT Office / Lingiari / Solomon <i>(iv)</i>	NT	Darwin	2000 <i>(v)</i>
Blair / Oxley <i>(vi)</i>	QLD	Ipswich	1997
McPherson / Moncrieff <i>(vi)</i>	QLD	Southport	1988
QLD State Office / Bonner / Brisbane / Griffith / Lilley / Moreton / Ryan	QLD	Brisbane	2004 <i>(vii)</i>
Fadden / Forde / Rankin	QLD	Beenleigh	2003
Boothby / Hindmarsh / Kingston	SA	Oaklands Park	1996
SA State Office / Adelaide / Sturt	SA	Adelaide	2003 <i>(viii)</i>
Bass / Lyons	TAS	Launceston	1974
TAS State Office / Denison / Franklin <i>(vi)</i>	TAS	Hobart	1987
Casey / Chisholm / Deakin / Menzies	VIC	Ringwood	1998
VIC State Office / Melbourne / Melbourne Ports <i>(ix)</i>	VIC	Melbourne	1999
Hasluck / Pearce <i>(vi)</i>	WA	Midland	2001
WA State Office / Perth	WA	Perth	2002

***Notes to Table A2.1:**

- i. Collocated in March 2008
- ii. Bradfield and North Sydney collocated in 1991. Bennelong joined collocation in 1999 and Berowra joined collocation in 2003.
- iii. NSW State Office, Grayndler and Sydney collocated 1998. Wentworth joined collocation in 2000.
- iv. Divisional offices and Northern Territory Office are amalgamated.
- v. Northern Territory Office has always shared premises with the divisional office(s) in Darwin.
- vi. Divisional offices are amalgamated.
- vii. QLD State Office and Brisbane collocated in 1996. Lilley and Moreton joined collocation in 2000, Bonner and Griffith in 2003 and Ryan in 2004.
- viii. SA State Office and Adelaide collocated in 1997. Sturt joined the collocation in 2003. From 1989 to 1997, SA State Office and Adelaide were both located in the Commonwealth Centre, but on different floors.
- ix. VIC State Office and the collocated divisions of Melbourne and Melbourne Ports are on different floors and do not have shared features such as a common counter.

A2.1.8 A general trend in collocated offices is for a division to specialise in specific election tasks and undertake these tasks for all the collocated divisions. For example, in NSW the tasks for the collocated site at Haymarket during the 2007 federal election were:

- Grayndler – staffing, materials planning, Senate scrutiny, training and financial monitoring;
- Sydney – roll maintenance, declaration scrutinies and management of Sydney Town Hall (one of the largest pre-poll and interstate voting centres in the country which had ordinary vote issuing points for all division within NSW); and
- Wentworth – pre-poll voting, postal voting, mobile polling, House of Representatives fresh scrutinies and non-voters and multiple voters.

A2.1.9 There are different approaches amongst collocated divisions with the Ringwood collocated site in Victoria (Casey, Chisholm, Deakin and Menzies) having some election tasks such as close of rolls, postal voting and scrutinies undertaken by one division on behalf of all divisions, whilst other activities such as training are still conducted individually by the respective divisions.

A2.1.10 Common feedback received from staff regarding collocated divisions was the flexibility to divert staff resources to priority areas during the election period. For example, in the Northern Territory, staff resources were diverted from the safe seat of Lingiari to the close seat of Solomon in order to finalise a result in a timely manner. The flexibility to offer more continuing employment to casual staff in collocated locations in non-election periods meant casual staff were better trained in AEC systems and procedures for the election.

A2.1.11 In addition to the tangible benefits of workload sharing described above, collocations provided a number of workforce benefits during the election period. These included greater opportunities for improving knowledge management and succession planning, and training and development as staff in a collocated office form part of an integrated and less isolated workforce. Having exposure to a larger group of staff and a wider variety of work improves knowledge and skills transfer.

A2.1.12 For example, a number of collocated offices have a mix of experienced divisional staff with new staff. Feedback received after the election was that this was an effective way of ensuring that new staff at all levels were supported during the election period.

A2.1.13 The AEC has had the opportunity to review the performance of collocated elections at a number of elections. At the 2007 election this review covered the largest number of collocated offices since collocations commenced in 1987. The AEC is convinced that the performance of collocated offices in delivering services during an election period is no different from the services provided to electors and candidates by a stand-alone office, and that there are a number of areas, such as workload sharing and workforce benefits, where collocated offices deliver significant organisational benefits.

Annex 3 – Amendments to the Commonwealth Electoral Act

CHANGES TO ELECTORAL LEGISLATION SINCE THE 2004 FEDERAL ELECTION

A3.1 Outline of amendments to the Commonwealth Electoral Act

A3.1.1 Since the 2004 election, there have been a series of amendments to the *Commonwealth Electoral Act 1918* (CEA) and the *Referendum (Machinery Provisions) Act 1984* (the Referendum Act). These amendments were made by the:

- *Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Act 2006* (the 2006 Act);
- *Electoral and Referendum Legislation Amendment Act 2007* (the 2007 Act);
- *Administrative Appeals Tribunal Amendment Act 2005*;
- *Anti-Money Laundering and Counter-Terrorism Financing (Transitional Provisions and Consequential Amendments) Act 2006*;
- *Australian Citizenship (Transitionals and Consequentials) Act 2007*;
- *Anti-Money Laundering and Counter-Terrorism Financing Amendment Act 2007*; and
- *Commonwealth Electoral Amendment (Democratic Plebiscites) Act 2007*.

A3.1.2 Whilst there have been a series of amendments, the description in this Part relates only to the 2006 Act and the 2007 Act as they directly concern enrolment and elections and have had an impact upon the conduct of the 2007 election.

A3.2 Changes to the CEA introduced by the 2006 Act

A3.2.1 The changes to the CEA made by the 2006 Act are summarised below. The Referendum Act was also amended by the 2006 Act but these changes are not discussed in this submission.

Reduced close of rolls period

A3.2.2 Prior to these amendments, the CEA provided for a close of rolls seven days after the issue of the writs. The 2006 Act amended the CEA to provide for two close of rolls deadlines.

A3.2.3 The first deadline is 8p.m. on the day the writ is issued for:

- new enrolments; and
- re-enrolments.

The second deadline and the close of rolls is now 8p.m. on the third “working day” after the writ was issued for:

- electors who are currently enrolled but need to update enrolment details;
- eligible persons who are not enrolled but who will turn 18 years old between the issue of the writs and the end of polling day; and
- eligible persons who are not enrolled but who will be granted Australian citizenship between the issue of the writs and polling day.

A3.2.4 Subsection 155(2) of the CEA now provides that:

“**working day** means any day except:

- (a) a Saturday or a Sunday; or
- (b) a day that is a public holiday in any State or Territory.”.

A3.2.5 As a public holiday (Show Day on Flinders Island in Tasmania) fell on Friday 19 October 2007, which was one of the three non-weekend days following the date of issue of the writs, the close of rolls deadline for the second class of electors listed at paragraph A3.2.3 above was Tuesday, 23 October 2007 rather than Monday, 22 October 2007. The impact of the new close of rolls deadlines for the 2007 election is discussed at **part 2.2** with a description of the related communications strategy at **part 3.2**.

Proof of identity for enrolment

A3.2.6 From 16 April 2007 these amendments introduced a proof of identity (POI) requirement for people enrolling, or updating their enrolment details. Prior to these amendments, a person could enrol, or update his or her enrolment details, by lodging an approved form, signed by the person and witnessed. The POI system introduced by the 2006 Act has three “tiers”:

- (i) A person enrolling, or updating his or her enrolment details, has to supply a driver’s licence number.
- (ii) If the person does not have a driver’s licence, he or she must show a prescribed document (for example a birth certificate) to an authorised person (for example a nurse) who is an enrolled elector.
- (iii) If the person cannot meet either requirement (i) or requirement (ii), he or she must have his or her enrolment form countersigned by two

electors who are on the Commonwealth electoral roll, and who have known the person for at least one month.

The implications of this amendment are discussed at **part 2.2** of this submission.

A3.2.7 The CEA was also amended to ensure that the AEC could have access to State and Territory information needed to verify data (in particular driver's licence numbers) provided as proof of identity. Prior to the 2006 Act, the CEA contained a demand power to require all federal government agencies to supply the AEC with information when requested. The power to request this information was limited in relation to State and Territory agencies: information could only be demanded from State and Territory police, statistical agencies and electoral agencies. The 2006 Act amended the CEA to expand the range of people from whom the AEC may request information, to include all officers working for all State and Territory agencies.

Provisional enrolment for new citizens

A3.2.8 The 2006 Act amended the CEA to provide for provisional enrolment of a person who will become an Australian citizen between the issue of the writs and polling day. To be eligible for provisional enrolment under this amendment the person must have received notification from the Department of Immigration and Citizenship that he or she is eligible to become an Australian citizen, and that he or she will have his or her citizenship ceremony, to become an Australian citizen, sometime between the issue of the writs and polling day. Such eligible people must apply to the AEC for provisional enrolment before 8p.m. on the third working day after the issue of the writ.

A3.2.9 A provisional enrollee's name does not appear on the certified list. As a result, to cast a vote he or she must utilise declaration voting. The provisional enrollee must meet the requirement for proof of identity for provisional voting (discussed at **part 4.6**) in addition to supplying proof of Australian citizenship either at the time of voting, or by close of business on the Friday following polling day. Proof of Australian citizenship is also accepted as proof of identity for provisional voting purposes. If a provisional enrollee fails to vote, or does vote but fails to provide proof of Australian citizenship by the Friday following polling day, his or her provisional enrolment lapses, and he or she will have to apply for enrolment in the normal fashion. The effectiveness of the provisional enrolment for new citizens is discussed at **part 2.5**.

Prisoner enrolment and voting

A3.2.10 From 1995 to 2004, the CEA excluded from voting those persons serving a sentence of imprisonment of five years or longer. This exclusion was altered in 2004, with the result that prisoners serving a sentence of imprisonment of three years or longer cannot enrol and vote. The 2006 Act amended the CEA to provide that a person who is serving a sentence of full-time imprisonment, irrespective of the length of the sentence could enrol but

was not entitled to vote at a federal election. In the High Court case of *Roach v Electoral Commissioner and Another* (2007) 239 ALR 1, the validity of this provision of the 2006 Act, and of the 2004 amendments to the CEA described above, was challenged. The High Court held that the 2006 amendments to prisoner voting were constitutionally invalid, and that the previous law, under which prisoners whose period of imprisonment was less than three years were entitled to vote, applied.

Proof of identity for provisional voting

A3.2.11 The 2006 Act amended the CEA to require that any elector casting a provisional vote provide proof of identity at the time of casting the vote, or to the AEC by the Friday after polling day. If proof of identity is not provided, then the provisional vote will not be admitted to the scrutiny and will therefore not be counted. The implications of this amendment are discussed further at **part 4.6**.

Removal from the roll by objection on the grounds of non-residence

A3.2.12 Prior to this amendment, if an elector was mistakenly removed from the electoral roll by objection on the ground of non-residence, his or her declaration vote would be admitted to the count. An amendment made to paragraph 12 of Schedule 3 to the CEA means that these votes are now rejected at preliminary scrutiny.

Electoral advertising on the internet

A3.2.13 The 2006 Act inserted a new provision in the CEA requiring paid electoral advertising on the internet to be authorised in a manner similar to the requirements applicable to printed electoral advertisements. This new provision makes it an offence to fail to provide the necessary authorisation. General political commentary on the internet is exempt from this provision. Further discussion of the challenges of regulating internet content is at **part 5.3**.

Location of divisional offices

A3.2.14 The 2006 Act amended the CEA to require that, in future, AEC divisional offices must be located within the physical boundary of the division unless the Minister gives written authority for the office to be located outside the division.

Funding and disclosure

A3.2.15 The 2006 Act made several amendments to the CEA in relation to political funding and disclosure. The following is a brief description of the changes:

- All disclosure thresholds for political donations and receipts were increased to amounts above \$10,000, and this amount is indexed annually in line with the Consumer Price Index (CPI). The new threshold applied from 8 December 2005, which is when the Bill was first introduced into Parliament.
- “Third parties” (persons other than parties, candidates and groups, members of Parliament and Commonwealth departments and agencies) that incur expenditure for a political purpose in excess of the disclosure thresholds, or receive gifts that are used for such expenditure, now have to complete annual disclosure returns. Prior to the amendments of the 2006 Act “third parties” were only required to complete disclosure returns for election periods, rather than annually.
- The definition of “associated entity” now includes entities with financial membership of, or voting rights in, a registered political party, and entities on whose behalf a person exercises such memberships or voting rights. This increased the number of entities with annual disclosure obligations.
- Broadcasters and publishers are no longer required to lodge disclosure returns on electoral advertisements broadcast or published during an election period.
- The tax-deductible threshold for contributions and gifts to political parties and independent candidates was increased from \$100 to \$1500 for a financial year. This increase applies to contributions and gifts from either an individual or corporation. This was implemented via an amendment to the *Income Tax Assessment Act 1997*.

Deregistration of political parties

A3.2.16 The 2006 Act amended the CEA so as to require the AEC to undertake a process of deregistering all political parties that had not had representation in the Commonwealth Parliament. The objective was to ensure that registered political parties that had not previously been represented in Parliament would be subject to contemporary restrictions applying to the party names and abbreviations able to be registered under the CEA. Parties so deregistered were able to reapply for registration up to 12 months after the commencement of the Act, with the usual \$500 fee being waived.

A3.2.17 On 22 December 2006, the AEC wrote to the following political parties to advise them they would be deregistered on 27 December 2006, as required by this amendment:

- Christian Democratic Party (Fred Nile Group)
- Citizens Electoral Council of Australia
- Citizens Electoral Council of Australia (NSW Division)
- Help End Marijuana Prohibition
- Hope Party – ethics equality ecology

- liberals for forests
- New Country Party
- No Goods and Services Tax Party
- Non-Custodial Parents Party
- One Nation Queensland Division
- One Nation Western Australia
- People Power
- Progressive Labour Party
- Queensland Greens
- Republican Party of Australia
- Socialist Alliance
- The Australian Shooters Party
- The Fishing Party
- The Great Australians

Deposits

A3.2.18 The 2006 Act amended the CEA to increase the nomination deposit from \$350 to \$500 for House of Representatives candidates, and from \$700 to \$1,000 for Senate candidates.

Provision of electoral roll information

A3.2.19 The 2006 Act amended the CEA to allow persons or organisations that verify, or contribute to the verification of, the identity of persons for the purposes of the *Financial Transaction Reports Act 1988* (FTR Act) to request access to electoral roll information. The FTR Act requires cash dealers, including financial institutions, to verify the identity of signatories to accounts to minimise the risk of accounts being used for criminal purposes. The electoral roll information provided to such persons or organisations is limited to name and address of the elector only.

A3.3 Changes to the CEA introduced by the 2007 Act

A3.3.1 The 2007 Act amended the CEA and the Referendum Act. The relevant amendments provided for a trial of electronically assisted voting for vision impaired electors and a trial of remote electronic voting for Australian Defence Force (ADF) members and defence civilians serving overseas. The Referendum Act was amended by the 2007 Act but these changes are not discussed in this submission. A discussion of the relevant provisions of the 2007 Act follows.

Proof of identity for electors enrolling outside Australia

A3.3.2 Subject to a number of exceptions, an eligible person residing overseas may apply for enrolment. As mentioned above, the 2006 Act introduced a requirement for electors to provide documentary proof of identity for enrolment. Applicants for enrolment who are residing overseas may have

difficulty in complying with the three-tier test described at paragraph **A3.2.6**. To allow for the enrolment of eligible electors residing overseas, the 2007 Act introduces an alternative proof of identity mechanism. Eligible electors residing overseas may provide their Australian passport numbers instead of a driver's licence number as proof of identity.

Postal voting

A3.3.3 The 2007 Act made some changes to the CEA in relation to postal voting for ADF and Australian Federal Police (AFP) personnel serving overseas. First, definitions of the terms "AFP officer or staff member", "capital city office of the AEC", "defence civilian" and "defence member" were inserted into the CEA. Secondly, a provision was inserted into the CEA to prevent the AEC from disclosing information about electors that may identify them as ADF or AFP personnel serving overseas. Thirdly, various amendments were made relating to the eligibility of ADF and AFP personnel to become registered as general postal voters.

A3.3.4 The CEA provides that where an elector cannot attend a polling place on polling day, the elector may apply for a postal vote. Upon receipt of a postal vote application the Divisional Returning Officer (DRO) or Assistant Returning Officer (ARO) will send the postal vote applicant postal voting material. The postal vote must be completed by the elector on or before polling day.

A3.3.5 In practice, to ensure the postal voting material reaches the elector it must be sent by the DRO or ARO by a reasonable time before polling day. Prior to the amendments made by the 2007 Act, the CEA provided that the AEC must send an elector postal voting material if an application for a postal vote was received at or before 6p.m. on the day before polling day. The 2007 Act amended the CEA to provide that an application for a postal vote must now be received by the AEC by 6p.m. on the Thursday before polling day. This amendment was intended to enhance the prospect that the elector will receive and complete his or her postal vote material on or before polling day. For a full discussion of postal voting at the 2007 election see **part 4.3**.

Trials of electronic voting

A3.3.6 The 2007 Act provided for the introduction of two trials of electronic voting for the 2007 election. The first trial was for electronically assisted voting for electors who are blind or vision impaired. The second trial was for remote electronic voting for ADF personnel serving overseas. The amendments to the CEA introduced by the 2007 Act were limited to the provision of electronic voting at the 2007 election. For further discussion of electronic voting see **part 4.9**.

Pre-poll voting offices

A3.3.7 The CEA provides for the AEC to declare the establishment of pre-poll voting offices. The AEC is required to publish the declaration in the

Gazette, before the first day the pre-poll voting office starts issuing votes. The declaration must provide information about the place, days of operation and hours of operation of the pre-poll voting office.

A3.3.8 Prior to the 2007 Act, the CEA did not make provision for the establishment and operation of a pre-poll voting office prior to gazettal. The 2007 Act introduced amendments to the CEA, which provide for the AEC to set up pre-poll voting offices, in exceptional circumstances, without prior publication in the *Gazette*. The provisions of the 2007 Act allow the AEC to quickly establish pre-poll offices in circumstances where it is necessary to ensure that electors are able to cast their votes. Where a pre-poll voting office is established under these circumstances the AEC must publish in the *Gazette*, as soon as practicable, the necessary details of the pre-poll voting office. In addition, the AEC must take all reasonable steps to inform the candidates, in the Division in which the pre-poll voting office is located, of the details of the declaration. At the 2007 election, there were no such changes gazetted. For a general discussion of pre-poll voting see **part 4.2**.

Removal of defamation provision from CEA

A3.3.9 Prior to the 2007 Act, section 350 of the CEA made it an offence to make or publish a false and defamatory statement in relation to the personal character or conduct of a candidate. The 2007 Act repealed section 350 of the CEA, with the effect that any action for defamation must now be initiated in accordance with the defamation laws in the relevant state or territory.

Annex 4 – Data for the 2007 election

Table A4.1 Electors Enrolled to vote – Close of Rolls figures

Division	Electors	Male	Female	Division	Electors	Male	Female
Banks	92,726	44,556	48,170	Aston	91,766	44,509	47,257
Barton	91,393	43,795	47,598	Ballarat	93,624	44,457	49,167
Bennelong	97,573	46,516	51,057	Batman	88,052	41,408	46,644
Berowra	91,685	44,405	47,280	Bendigo	97,197	46,423	50,774
Blaxland	91,770	44,563	47,207	Bruce	88,393	43,090	45,303
Bradfield	93,396	44,107	49,289	Calwell	95,622	46,380	49,242
Calare	89,080	43,440	45,640	Casey	89,313	42,942	46,371
Charlton	91,129	43,662	47,467	Chisholm	86,128	40,725	45,403
Chifley	92,506	44,348	48,158	Corangamite	96,155	46,032	50,123
Cook	93,396	44,926	48,470	Corio	90,454	42,792	47,662
Cowper	92,767	44,294	48,473	Deakin	87,711	41,192	46,519
Cunningham	91,663	44,281	47,382	Dunkley	93,168	43,872	49,296
Dobell	90,328	42,405	47,923	Flinders	95,608	45,913	49,695
Eden-Monaro	91,610	44,930	46,680	Gellibrand	93,277	44,898	48,379
Farrer	93,926	45,603	48,323	Gippsland	94,882	46,051	48,831
Fowler	89,166	43,320	45,846	Goldstein	92,014	42,831	49,183
Gilmore	87,536	42,111	45,425	Gorton	104,462	51,011	53,451
Grayndler	95,042	45,001	50,041	Higgins	89,333	41,952	47,381
Greenway	88,213	43,042	45,171	Holt	100,884	49,054	51,830
Hughes	91,175	44,793	46,382	Hotham	88,669	42,356	46,313
Hume	90,461	43,693	46,768	Indi	90,871	44,011	46,860
Hunter	90,202	44,159	46,043	Isaacs	98,182	46,886	51,296
Kingsford Smith	97,235	45,916	51,319	Jagajaga	93,765	44,477	49,288
Lindsay	90,349	43,443	46,906	Kooyong	88,324	41,083	47,241
Lowe	87,153	41,180	45,973	La Trobe	92,029	44,381	47,648
Lyne	86,784	41,141	45,643	Lalor	103,761	50,348	53,413
Macarthur	84,645	40,599	44,046	Mallee	90,112	43,650	46,462
Mackellar	92,411	44,185	48,226	Maribymong	87,484	41,786	45,698
Macquarie	94,670	45,283	49,387	McEwen	104,509	51,205	53,304
Mitchell	88,417	42,736	45,681	McMillan	87,092	41,919	45,173
New England	91,395	43,758	47,637	Melbourne	98,449	47,279	51,170
Newcastle	93,455	44,865	48,590	Melbourne	95,935	45,492	50,443
North Sydney	94,163	43,746	50,417	Menzies	89,968	43,259	46,709
Page	93,426	44,501	48,925	Murray	88,890	43,236	45,654
Parkes	89,704	43,647	46,057	Scullin	88,924	43,523	45,401
Parramatta	96,208	46,586	49,622	Wannon	90,904	44,220	46,684
Paterson	90,504	43,733	46,771	Wills	96,185	45,401	50,784
Prospect	90,624	44,123	46,501	VIC	3,442,096	1,650,044	1,792,052
Reid	92,648	45,635	47,013				
Richmond	90,018	42,816	47,202				
Riverina	91,364	44,097	47,267				
Robertson	94,334	44,129	50,205				
Shortland	93,192	44,616	48,576				
Sydney	87,896	44,815	43,081				
Throsby	88,501	42,989	45,512				
Warringah	94,253	44,533	49,720				
Watson	94,661	45,982	48,679				
Wentworth	100,276	47,875	52,401				
Werriwa	90,307	43,475	46,832				
NSW	4,495,336	2,162,354	2,332,982				

Table A4.1 Electors Enrolled to vote – Close of Rolls figures (cont'd)

Division	Electors	Male	Female	Division	Electors	Male	Female
Blair	90,977	44,288	46,689	Brand	91,961	44,487	47,474
Bonner	90,381	42,628	47,753	Canning	94,679	46,525	48,154
Bowman	88,977	42,601	46,376	Cowan	93,407	45,310	48,097
Brisbane	91,705	44,042	47,663	Curtin	86,104	40,910	45,194
Capricornia	92,707	45,784	46,923	Forrest	93,678	45,809	47,869
Dawson	87,394	43,478	43,916	Fremantle	89,014	42,763	46,251
Dickson	89,360	43,583	45,777	Hasluck	82,331	40,042	42,289
Fadden	92,909	44,155	48,754	Kalgoorlie	80,773	41,771	39,002
Fairfax	90,231	42,583	47,648	Moore	76,761	37,542	39,219
Fisher	86,767	41,424	45,343	O'Connor	84,455	42,040	42,415
Flynn	87,982	44,839	43,143	Pearce	94,523	46,219	48,304
Forde	87,180	42,285	44,895	Perth	88,165	43,141	45,024
Griffith	91,069	43,240	47,829	Stirling	91,120	43,390	47,730
Groom	89,917	42,417	47,500	Swan	81,714	38,997	42,717
Herbert	90,756	44,356	46,400	Tangney	84,257	40,167	44,090
Hinkler	90,093	42,987	47,106	WA	1,312,942	639,113	673,829
Kennedy	91,685	45,926	45,759	Adelaide	96,723	45,856	50,867
Leichhardt	94,271	46,297	47,974	Barker	102,626	50,576	52,050
Lilley	90,757	42,367	48,390	Boothby	96,236	45,242	50,994
Longman	89,815	42,756	47,059	Grey	98,074	48,844	49,230
Maranoa	86,754	42,663	44,091	Hindmarsh	98,942	46,713	52,229
McPherson	92,324	43,343	48,981	Kingston	97,912	47,145	50,767
Moncrieff	91,624	43,803	47,821	Makin	94,934	45,770	49,164
Moreton	88,217	42,549	45,668	Mayo	96,401	46,858	49,543
Oxley	89,247	42,554	46,693	Port Adelaide	100,244	48,220	52,024
Petrie	90,092	42,113	47,979	Sturt	98,154	45,805	52,349
Rankin	89,650	43,256	46,394	Wakefield	95,722	46,329	49,393
Ryan	90,513	43,464	47,049	SA	1,075,968	517,358	558,610
Wide Bay	88,946	43,090	45,856	Bass	68,967	32,767	36,200
QLD	2,612,300	1,258,871	1,353,429	Braddon	71,022	34,086	36,936
				Denison	68,881	32,438	36,443
				Franklin	72,542	34,461	38,081
				Lyons	68,376	34,084	34,292
				TAS	349,788	167,836	181,952
				Canberra	122,401	59,142	63,259
				Fraser	116,341	56,609	59,732
				ACT	238,742	115,751	122,991
				Lingiari	60,341	29,879	30,462
				Solomon	57,560	29,071	28,489
				NT	117,901	58,950	58,951
				Australia	13,645,073	6,570,277	7,074,796

Table A4.2 Additions to roll by state/territory 1 Jan - 7 Sept 2004(COR)

Additions to Roll - By State 1 Jan 2004 - COR 2004

State Div CCD	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
Enrolment Type									
New Enrolment	111,964	90,454	64,112	40,814	29,490	8,960	8,614	3,648	358,056
Reenrolment	82,401	48,369	75,362	27,224	13,370	6,524	5,466	3,953	262,669
Total	194,365	138,823	139,474	68,038	42,860	15,484	14,080	7,601	620,725

Table A4.3 Additions to roll by state/territory 1 Jan - 23 Oct 2007 (COR)

Additions to the Roll By State for period 1/1/07 - COR 23 October 2007

State Div CCD	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
Enrolment Type									
New Enrolment	174,893	84,949	83,644	44,517	31,315	9,890	8,705	5,013	442,926
Reenrolment	134,173	58,246	89,727	39,571	20,831	7,894	7,999	5,209	363,650
Total	309,066	143,195	173,371	84,088	52,146	17,784	16,704	10,222	806,576

Table A4.4 Deletions to roll by state/territory 1 Jan - 7 Sept 2004 (COR)

State Div CCD	ACT	NT	NSW	QLD	SA	TAS	VIC	WA	Total
Deletion Reason									
Duplicate	51	80	1,060	1,220	225	64	837	337	3,874
Death	928	441	27,195	14,017	7,241	2,403	18,436	6,093	76,754
Objections	5,811	4,326	94,803	62,636	16,441	8,296	68,610	31,474	292,397
Total	6,790	4,847	123,058	77,873	23,907	10,763	87,883	37,904	373,025

Table A4.5 Deletions to roll by State/Territory 1 Jan - 23 Oct 2007 (COR)

State Div CCD	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
Deletion Reason									
Duplicate	1,691	833	856	512	290	83	62	125	4,452
Cancelled enrolment	2	17	1	2	6	0	0	0	28
Death	33,165	22,436	17,400	7,978	8,793	3,076	1,173	792	94,813
Objections	80,362	60,754	60,949	22,833	19,891	4,974	4,170	2,188	256,121
Total	115,220	84,040	79,206	31,325	28,980	8,133	5,405	3,105	355,414

Table A4.6 Enrolment figures - election 2007 - electors entitled to vote*

Enrolment figures - Election 2007

Polling Day

Division	Enrolment	Division	Enrolment
Banks	92,720	Aston	91,728
Barton	91,451	Ballarat	93,644
Bennelong	97,584	Batman	87,930
Berowra	91,690	Bendigo	97,129
Blaxland	91,858	Bruce	88,434
Bradfield	93,405	Calwell	95,608
Calare	89,088	Casey	89,302
Charlton	91,109	Chisholm	86,084
Chifley	92,569	Corangamite	96,133
Cook	93,393	Corio	90,390
Cowper	92,762	Deakin	87,670
Cunningham	91,665	Dunkley	93,176
Dobell	90,369	Flinders	95,653
Eden-Monaro	91,584	Gellibrand	93,322
Farrer	93,915	Gippsland	94,967
Fowler	89,217	Goldstein	92,049
Gilmore	87,489	Gorton	104,549
Grayndler	95,070	Higgins	89,345
Greenway	88,265	Holt	100,916
Hughes	91,154	Hotham	88,723
Hume	90,404	Indi	90,841
Hunter	90,199	Isaacs	98,189
Kingsford Smith	97,340	Jagajaga	93,740
Lindsay	90,366	Kooyong	88,273
Lowe	87,146	La Trobe	92,005
Lyne	86,814	Lalor	103,729
Macarthur	84,652	Mallee	90,038
Mackellar	92,415	Maribyrnong	87,484
Macquarie	94,672	McEwen	104,570
Mitchell	88,400	McMillan	87,064
New England	91,370	Melbourne	98,477
Newcastle	93,422	Melbourne Ports	95,930
North Sydney	94,213	Menzies	89,937
Page	93,398	Murray	88,852
Parkes	89,771	Scullin	88,899
Parramatta	96,305	Wannon	90,838
Paterson	90,483	Wills	96,204
Prospect	90,635	VIC	3,441,822
Reid	92,784		
Richmond	90,103		
Riverina	91,324		
Robertson	94,295		
Shortland	93,176		
Sydney	87,904		
Throsby	88,502		
Warringah	94,301		
Watson	94,785		
Wentworth	100,315		
Werriwa	90,357		
NSW	4,496,208		

**Enrolment figures - Election 2007
Polling Day**

Division	Enrolment
Blair	90,979
Bonner	90,358
Bowman	88,989
Brisbane	91,638
Capricornia	92,750
Dawson	87,453
Dickson	89,358
Fadden	92,901
Fairfax	90,202
Fisher	86,736
Flynn	87,958
Forde	87,283
Griffith	91,065
Groom	89,963
Herbert	90,776
Hinkler	90,026
Kennedy	91,713
Leichhardt	94,312
Lilley	90,749
Longman	89,774
Maranoa	86,727
McPherson	92,372
Moncrieff	91,665
Moreton	88,268
Oxley	89,233
Petrie	90,048
Rankin	89,764
Ryan	90,563
Wide Bay	88,881
QLD	2,612,504

*Note: These figures include close of rolls, notebook roll and reinstatements

Division	Enrolment
Brand	91,945
Canning	94,661
Cowan	93,421
Curtin	86,138
Forrest	93,680
Fremantle	88,984
Hasluck	82,333
Kalgoorlie	80,821
Moore	76,871
O'Connor	84,466
Pearce	94,557
Perth	88,156
Stirling	91,098
Swan	81,758
Tangney	84,312
WA	1,313,201
Adelaide	96,700
Barker	102,624
Boothby	96,190
Grey	98,058
Hindmarsh	98,899
Kingston	97,939
Makin	95,078
Mayo	96,370
Port Adelaide	100,422
Sturt	98,184
Wakefield	95,756
SA	1,076,220
Bass	68,937
Braddon	70,999
Denison	68,848
Franklin	72,545
Lyons	68,424
TAS	349,753
Canberra	122,447
Fraser	116,339
ACT	238,786
Lingiari	60,404
Solomon	57,641
NT	118,045
AUSTRALIA	13,646,539

Table A4.7 Enrolment figures - Close of Rolls enrolment transactions by divisions, 2004 and 2007 Elections

Division	2004	2007	Division	2004	2007
Banks	1,581	1,128	Aston	1,788	1,261
Barton	2,067	1,477	Ballarat	2,909	1,913
Bennelong	2,454	1,758	Batman	2,439	1,702
Berowra	2,125	1,336	Bendigo	3,675	2,152
Blaxland	1,469	1,174	Bruce	1,925	1,286
Bradfield	2,307	1,644	Calwell	2,234	1,610
Calare	2,454	1,164	Casey	2,094	1,442
Charlton	2,107	1,136	Chisholm	2,104	1,440
Chifley	1,862	1,305	Corangamite	2,518	1,686
Cook	1,966	1,658	Corio	2,590	1,602
Cowper	2,489	1,302	Deakin	2,180	1,460
Cunningham	1,912	1,342	Dunkley	2,777	1,935
Dobell	2,338	1,415	Flinders	2,785	1,916
Eden-Monaro	2,647	1,682	Gellibrand	2,546	1,886
Farrer	2,560	1,564	Gippsland	2,881	1,571
Fowler	1,558	950	Goldstein	2,440	1,873
Gilmore	2,366	1,239	Gorton	2,362	1,869
Grayndler	3,552	2,276	Higgins	3,441	2,224
Greenway	2,471	1,658	Holt	2,886	2,224
Gwydir	1,901	0	Hotham	1,998	1,384
Hughes	2,099	1,434	Indi	3,557	1,756
Hume	2,206	1,229	Isaacs	1,866	1,856
Hunter	2,458	1,306	Jagajaga	2,104	1,492
Kingsford Smith	2,643	2,157	Kooyong	2,621	1,807
Lindsay	2,278	1,605	La Trobe	2,490	1,698
Lowe	2,415	1,550	Lalor	2,819	2,142
Lyne	2,466	1,243	Mallee	2,497	1,439
Macarthur	1,841	1,388	Maribyrnong	2,009	1,534
Mackellar	2,545	1,559	Mcewen	3,171	2,079
Macquarie	2,427	1,439	Mcmillan	2,184	1,565
Mitchell	2,761	1,502	Melbourne	6,445	3,942
New England	2,615	1,303	Melbourne Ports	5,490	3,405
Newcastle	3,005	1,712	Menzies	1,671	1,219
North Sydney	3,734	2,493	Murray	2,457	1,553
Page	2,798	1,587	Scullin	1,578	1,195
Parkes	2,122	1,322	Wannon	2,398	1,522
Parramatta	2,610	1,691	Wills	2,721	1,970
Paterson	2,513	1,260	VIC	98,650	66,610
Prospect	1,531	1,243			
Reid	1,945	1,495			
Richmond	3,005	1,656			
Riverina	2,264	1,355			
Robertson	2,208	1,556			
Shortland	1,794	1,401			
Sydney	5,703	3,414			
Throsby	1,813	1,078			
Warringah	2,948	1,955			
Watson	1,713	1,146			
Wentworth	3,896	3,398			
Werriwa	1,904	1,312			
NSW	120,446	75,997			

Division	2004	2007
Blair	2,347	2,106
Bonner	2,045	1,917
Bowman	2,363	1,791
Brisbane	3,556	3,374
Capricornia	2,522	2,013
Dawson	2,935	2,038
Dickson	2,234	1,889
Fadden	3,119	2,717
Fairfax	2,805	2,285
Fisher	2,799	2,315
Flynn		2,055
Forde	2,575	1,987
Griffith	3,421	2,705
Groom	2,705	2,130
Herbert	3,232	2,536
Hinkler	3,112	2,103
Kennedy	2,707	1,955
Leichhardt	3,005	2,809
Lilley	2,764	2,397
Longman	2,649	2,384
Maranoa	2,167	1,659
Mcperson	2,816	2,241
Moncrieff	3,002	2,359
Moreton	2,241	1,818
Oxley	2,401	2,295
Petrie	2,527	1,825
Rankin	2,553	2,016
Ryan	2,525	2,018
Wide Bay	3,659	1,953
QLD	76,786	63,690

Division	2004	2007
Brand	4,911	2,891
Canning	4,543	2,410
Cowan	3,929	2,463
Curtin	4,685	2,575
Forrest	4,336	2,391
Fremantle	3,948	2,169
Hasluck	3,681	2,184
Kalgoorlie	4,523	2,844
Moore	4,022	1,819
O'Connor	3,108	1,940
Pearce	4,358	2,923
Perth	4,407	2,290
Stirling	4,588	2,527
Swan	4,709	2,582
Tangney	3,846	1,891
WA	63,594	35,899
Adelaide	4,247	2,317
Barker	3,150	1,814
Boothby	3,467	1,811
Grey	2,686	1,671
Hindmarsh	3,546	1,883
Kingston	3,498	1,908
Makin	3,108	1,576
Mayo	3,746	1,991
Port Adelaide	3,324	1,991
Sturt	3,162	1,905
Wakefield	3,397	2,102
SA	37,331	20,969
Bass	2,313	1,135
Braddon	2,062	1,067
Denison	2,639	1,361
Franklin	2,151	1,231
Lyons	1,934	1,005
TAS	11,099	5,799
Canberra	4,329	2,819
Fraser	6,030	3,540
ACT	10,359	6,359
Lingiari	2,457	1,573
Solomon	3,271	2,573
NT	5,728	4,146
Australia	423,993	279,469

Table A4.8 Close of Roll new enrolments by age – state/territory 2007

Age on Polling Day	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Australia
17	289	346	148	64	43	27	24	7	948
18	2,540	3,813	3,145	1,452	902	264	205	155	12,476
19	745	654	919	856	397	108	135	74	3,888
20-24	1,932	1,075	1,307	1,001	535	98	198	144	6,290
25-29	641	393	322	205	158	17	57	38	1,831
30-34	387	260	192	126	101	10	26	16	1,118
35-39	314	205	149	129	80	5	17	13	912
40-44	227	147	139	130	75	9	10	16	753
45-49	180	123	88	79	53	8	12	7	550
50-54	113	72	63	50	31	8	6	9	352
55-59	76	46	49	27	24	2	0	5	229
60-64	56	21	33	18	11	1	3	1	144
65-69	23	15	12	11	7	1	3	0	72
70-74	19	6	12	6	7	0	0	0	50
75-79	13	6	7	7	0	2	0	0	35
80+	6	2	1	2	0	0	0	0	11
Total	7,561	7,184	6,586	4,163	2,424	560	696	485	29,659

Table A4.9 Close of Roll other transactions by age - state/territory 2007

Age on Polling Day	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Australia
17	66	68	18	21	13	6	2	1	195
18	1,214	1,264	894	706	318	120	82	38	4,636
19	1,070	1,070	1,180	730	387	151	152	78	4,818
20-24	8,849	8,477	9,083	5,248	2,981	839	1,145	602	37,224
25-29	11,299	10,852	9,268	5,629	3,067	788	1,255	648	42,806
30-34	10,419	9,338	7,483	4,328	2,494	611	844	574	36,091
35-39	8,556	7,361	6,383	3,684	2,089	542	573	448	29,636
40-44	5,822	4,946	5,056	2,885	1,645	408	441	344	21,547
45-49	4,889	3,940	4,139	2,474	1,409	376	348	290	17,865
50-54	3,855	2,978	3,226	1,996	1,123	360	244	223	14,005
55-59	2,955	2,339	2,728	1,569	809	277	163	141	10,981
60-64	2,034	1,662	1,833	970	548	217	92	102	7,458
65-69	1,255	939	1,090	533	315	113	54	41	4,340
70-74	865	598	714	377	211	68	31	18	2,882
75-79	810	580	576	272	249	81	21	11	2,600
80+	1,613	1,386	1,025	585	598	114	79	14	5,414
Total	65,571	57,798	54,696	32,007	18,256	5,071	5,526	3,573	242,498

**Table A4.10 Comparison of 2004 and 2007 pre-poll votes issued
Sorted by Volume**

Division	State	2004 Pre Poll	2007 Pre Poll	Difference
Gorton	VIC	5,600	13,495	7,895
McMillan	VIC	5,483	12,707	7,224
Flynn	QLD		6,536	6,536
Gilmore	NSW	10,429	16,229	5,800
Lalor	VIC	6,943	12,626	5,683
Gippsland	VIC	8,188	13,805	5,617
Flinders	VIC	7,018	12,516	5,498
Murray	VIC	5,952	11,284	5,332
Hunter	NSW	6,044	10,665	4,621
Wannon	VIC	6,887	11,488	4,601
Indi	VIC	9,979	14,465	4,486
Maribyrnong	VIC	6,246	10,575	4,329
Parkes	NSW	5,860	10,181	4,321
Ballarat	VIC	6,484	10,793	4,309
Melbourne	VIC	6,520	10,709	4,189
Corangamite	VIC	5,451	9,611	4,160
Kingsford Smith	NSW	5,439	9,473	4,034
Hume	NSW	5,630	9,599	3,969
Mayo	SA	3,857	7,807	3,950
Farrer	NSW	5,662	9562	3,900
Capricornia	QLD	2,996	6,883	3,887
Macquarie	NSW	5,696	9,567	3,871
Lingiari	NT	4,440	8,247	3,807
Casey	VIC	3,879	7,661	3,782
Mallee	VIC	7,936	11,678	3,742
Brand	WA	4,949	8,691	3,742
Calwell	VIC	4,089	7,709	3,620
Jagajaga	VIC	5,037	8,648	3,611
Higgins	VIC	5,472	9,017	3,545
Melbourne Ports	VIC	6,953	10,433	3,480
Holt	VIC	3,544	6,952	3,408
McEwen	VIC	3,594	6,983	3,389
Bendigo	VIC	5,409	8,735	3,326
Leichhardt	QLD	4,208	7,447	3,239
Sturt	SA	3,774	6,990	3,216
Menzies	VIC	4,834	8,047	3,213
Wentworth	NSW	7,779	10,962	3,183
Corio	VIC	4,330	7,417	3,087
Robertson	NSW	6,234	9,269	3,035
Isaacs	VIC	3,322	6,347	3,025
Hotham	VIC	3,081	6,101	3,020
Warringah	NSW	5,615	8,630	3,015
Wills	VIC	3815	6,824	3,009

Scullin	VIC	2,117	5,111	2,994
Deakin	VIC	3,711	6,673	2,962
Aston	VIC	3,401	6,333	2,932
Canberra	ACT	16,118	19,032	2,914
Gellibrand	VIC	4,249	7,157	2,908
Lilley	QLD	3,665	5,238	1,573
Macarthur	NSW	4,320	5,889	1,569
Eden-Monaro	NSW	8,857	10,419	1,562
Fairfax	QLD	5,790	7,345	1,555
Mitchell	NSW	4,857	6,299	1,442
Newcastle	NSW	3,482	4,911	1,429
Forrest	WA	4,151	5,576	1,425
Bonner	QLD	3,045	4,459	1,414
Greenway	NSW	3,848	5,223	1,375
Oxley	QLD	2,056	3,427	1,371
Berowra	NSW	4,988	6,353	1,365
Cowan	WA	3,021	4,383	1,362
Charlton	NSW	4,760	6,079	1,319
Groom	QLD	4,153	5,459	1,306
Longman	QLD	3,574	4,855	1,281
Denison	TAS	3,435	4,712	1,277
Sydney	NSW	6,163	7,439	1,276
Maranoa	QLD	2,273	3,536	1,263
Petrie	QLD	2,906	4,046	1,140
Fadden	QLD	6,273	7,403	1,130
Perth	WA	2,897	3,952	1,055
Lindsay	NSW	4,075	5,103	1,028
Barker	SA	4,725	5,741	1,016
Tangney	WA	4,071	5,083	1,012
Pearce	WA	3,459	4,468	1,009
Makin	SA	3,180	4,145	965
Swan	WA	3,517	4,478	961
Hindmarsh	SA	3,763	4,711	948
Rankin	QLD	3,351	4,275	924
Hughes	NSW	4,319	5,236	917
Fremantle	WA	3,472	4,382	910
Shortland	NSW	4,673	5,579	906
Kalgoorlie	WA	4,808	5,693	885
Herbert	QLD	4,495	5,375	880
Hasluck	WA	2,951	3,817	866
Braddon	TAS	2,953	3,813	860
Stirling	WA	3,818	4,656	838
Lyons	TAS	2,141	2,935	794
Kingston	SA	3,798	4,560	762
Wide Bay	QLD	5,535	6,296	761
O'Connor	WA	2,717	3,463	746
Dickson	QLD	3,312	4,018	706
Parramatta	NSW	4,349	5,034	685
Boothby	SA	4,481	5,105	624

Forde	QLD	3,212	3,826	614
Curtin	WA	5,057	5,636	579
Adelaide	SA	4,024	4,579	555
Port Adelaide	SA	2,940	3,466	526
Blair	QLD	2,577	3,053	476
Fisher	QLD	5,764	6,219	455
Moore	WA	3,957	4,392	435
Dobell	NSW	5,528	8,390	2,862
New England	NSW	6,865	9,654	2,789
McPherson	QLD	7,530	10,292	2,762
Dunkley	VIC	4,684	7,382	2,698
La Trobe	VIC	3,484	6,072	2,588
Page	NSW	5,236	7,809	2,573
Cowper	NSW	5,401	7,968	2,567
Franklin	TAS	2,653	5,206	2,553
Paterson	NSW	6,537	9,070	2,533
Cunningham	NSW	5,992	8,472	2,480
Chisholm	VIC	3,573	6,024	2,451
Grayndler	NSW	4,166	6,609	2,443
Chifley	NSW	3,861	6,293	2,432
Bruce	VIC	3,491	5,908	2,417
Reid	NSW	3,334	5,743	2,409
Batman	VIC	3,192	5,560	2,368
Goldstein	VIC	4,801	7,141	2,340
Riverina	NSW	7,084	9,383	2,299
Banks	NSW	3,401	5,694	2,293
Moncrieff	QLD	7,267	9,513	2,246
Solomon	NT	5,610	7,851	2,241
Kooyong	VIC	4,719	6,919	2,200
Blaxland	NSW	2,557	4,732	2,175
Barton	NSW	3,558	5,693	2,135
Watson	NSW	2,872	4,966	2,094
Griffith	QLD	3,813	5,883	2,070
Dawson	QLD	4,468	6,511	2,043
Werriwa	NSW	2,954	4,988	2,034
Throsby	NSW	4,623	6,637	2,014
Cook	NSW	4,863	6,874	2,011
Bennelong	NSW	3,947	5,953	2,006
Hinkler	QLD	5,971	7,947	1,976
Fraser	ACT	17,171	19,130	1,959
North Sydney	NSW	5,789	7,676	1,887
Bradfield	NSW	5,691	7,559	1,868
Grey	SA	3,853	5,715	1,862
Prospect	NSW	2,424	4,241	1,817
Canning	WA	3,233	5,017	1,784
Richmond	NSW	8,830	10,612	1,782
Moreton	QLD	3,106	4,855	1,749
Brisbane	QLD	4,253	5,967	1,714
Lyne	NSW	6,095	7,805	1,710

Ryan	QLD	4,304	5,967	1,663
Kennedy	QLD	2,344	4,004	1,660
Fowler	NSW	2,074	3,729	1,655
Mackellar	NSW	4,976	6,613	1,637
Lowe	NSW	4,004	5,620	1,616
Bowman	QLD	4,629	6,218	1,589
Wakefield	SA	2,412	2,836	424
Bass	TAS	3,283	3,634	351
Calare	NSW	8,260	8,194	-66
Gwydir	NSW	5,021		-5,021
Totals		718,049	1,062,339	344,290

Table A4.11 Percentage increases in declaration votes issued

2001									
State	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	NATIONAL**
Pre-Poll	196,880	135,903	101,349	42,081	31,219	11,106	29,942	11,475	610,049
Postal	168,915	148,969	131,144	39,000	41,192	14,527	7,059	3,816	567,652
Early votes*	365,795	284,872	232,493	81,081	72,411	25,633	37,001	15,291	1,177,701
Provisional	59,469	40,979	29,244	14,445	12,637	4,419	2,228	1,817	165,238
Absent	294,186	213,631	150,154	101,004	68,637	16,467	5,589	2,283	851,951
Total	719,450	539,482	411,891	196,530	153,685	46,519	44,818	19,391	2,194,890
Early vote increases 2001 to 2004	32%	33%	28%	37%	25%	26%	17%	36%	30%
2004									
State	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	NATIONAL**
Pre-Poll	241,660	173,025	129,831	56,491	35,736	14,317	32,480	15,710	754,102
Postal	242,899	206,131	167,934	54,731	54,603	18,069	10,876	5,083	774,078
Early votes*	484,559	379,156	297,765	111,222	90,339	32,386	43,356	20,793	1,528,180
Provisional	50,583	48,293	29,416	24,832	16,155	5,108	4,315	2,176	180,878
Absent	279,074	210,802	148,439	119,161	72,372	16,522	4,865	2,363	853,598
Total	814,216	638,251	475,620	255,215	178,866	54,016	52,536	25,332	2,562,656
Early vote increases 2004 to 2007	22%	49%	18%	23%	25%	22%	14%	23%	27%
2007									
State	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	NATIONAL**
Pre-Poll	351,785	318,648	171,031	77,142	53,386	19,832	37,586	21,042	1,110,334
Postal	241,552	246,896	180,832	59,291	59,310	19,659	12,037	4,437	833,178
Early votes*	593,337	565,544	351,863	136,433	112,696	39,491	49,623	25,479	1,943,512
Provisional	48,035	38,995	35,392	21,853	14,344	4,162	2,726	2,175	167,682
Absent	275,677	216,540	164,020	107,124	70,391	16,901	3,458	2,360	856,471
Total	917,049	821,079	551,275	265,410	197,431	60,554	55,807	30,014	2,967,665

*Early votes represents the sum of pre-poll and postal votes

** National total includes overseas and Antarctic votes

Table A4.12 Provisional votes rejected, no POI provided by deadline

State	Division	Votes rejected
ACT	CANBERRA	140
	FRASER	45
ACT Total		185
NSW	BANKS	113
	BARTON	102
	BENNELONG	102
	BEROWRA	77
	BLAXLAND	223
	BRADFIELD	149
	CALARE	89
	CHARLTON	56
	CHIFLEY	264
	COOK	115
	COWPER	155
	CUNNINGHAM	51
	DOBELL	135
	EDEN-MONARO	71
	FARRER	115
	FOWLER	181
	GILMORE	28
	GRAYNDLER	229
	GREENWAY	152
	HUGHES	98
	HUME	90
	HUNTER	171
	KINGSFORD SMITH	213
	LINDSAY	136
	LOWE	69
	LYNE	68
	MACARTHUR	179
	MACKELLAR	81
	MACQUARIE	151
	MITCHELL	59
	NEW ENGLAND	107
	NEWCASTLE	123
	NORTH SYDNEY	147
	PAGE	134
	PARKES	176
	PARRAMATTA	202
	PATERSON	113
	PROSPECT	105
	REID	134
	RICHMOND	163
RIVERINA	25	
ROBERTSON	95	
SHORTLAND	77	
SYDNEY	431	
THROSBY	156	
WARRINGAH	139	
WATSON	372	
WENTWORTH	231	

	WERRIWA	87
NSW Total		6,739
NT	LINGIARI	254
	SOLOMON	144
NT Total		398
Qld	BLAIR	188
	BONNER	121
	BOWMAN	188
	BRISBANE	239
	CAPRICORNIA	228
	DAWSON	325
	DICKSON	146
	FADDEN	141
	FAIRFAX	189
	FISHER	192
	FLYNN	215
	FORDE	122
	GRIFFITH	210
	GROOM	157
	HERBERT	315
	HINKLER	41
	KENNEDY	443
	LEICHHARDT	542
	LILLEY	252
	LONGMAN	270
	MARANOVA	295
	MCPHERSON	193
	MONCRIEFF	265
	MORETON	134
	OXLEY	241
	PETRIE	104
	RANKIN	176
	RYAN	121
	WIDE BAY	205
Qld Total		6,258
SA	ADELAIDE	220
	BARKER	243
	BOOTHBY	192
	GREY	260
	HINDMARSH	222
	KINGSTON	234
	MAKIN	181
	MAYO	107
	PORT ADELAIDE	304
	STURT	183
	WAKEFIELD	310
SA Total		2,456
Tas	BASS	110
	BRADDON	150
	DENISON	162
	FRANKLIN	167
	LYONS	148
Tas Total		737
Vic	ASTON	45

	BALLARAT	131
	BATMAN	99
	BENDIGO	170
	BRUCE	61
	CALWELL	213
	CASEY	110
	CHISHOLM	148
	CORANGAMITE	166
	CORIO	131
	DEAKIN	117
	DUNKLEY	90
	FLINDERS	171
	GELLIBRAND	285
	GIPPSLAND	210
	GOLDSTEIN	136
	GORTON	209
	HIGGINS	207
	HOLT	445
	HOTHAM	168
	INDI	95
	ISAACS	265
	JAGAJAGA	61
	KOOYONG	65
	LA TROBE	184
	LALOR	197
	MALLEE	109
	MARIBYRNONG	247
	MCEWEN	188
	MCMILLAN	193
	MELBOURNE	608
	MELBOURNE PORTS	381
	MENZIES	97
	MURRAY	161
	SCULLIN	131
	WANNON	71
	WILLS	125
Vic Total		6,490
WA	BRAND	419
	CANNING	311
	COWAN	215
	CURTIN	252
	FORREST	331
	FREMANTLE	293
	HASLUCK	298
	KALGOORLIE	439
	MOORE	147
	O'CONNOR	290
	PEARCE	374
	PERTH	279
	STIRLING	242
	SWAN	260
	TANGNEY	116
WA Total		4,266
Grand Total		27,529

Table A4.13 2007 Enrolment transactions* to close of rolls**2007 (1 January to 23 October)**

	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
New Enrolment	174,893	84,949	83,644	44,517	31,315	9,890	8,705	5,013	442,926
Reenrolment	134,173	58,246	89,727	39,571	20,831	7,894	7,999	5,209	363,650
Change of Enrolment	525,828	329,856	430,594	193,287	124,646	44,872	40,769	23,489	1,713,341
									2,519,917

*Enrolment transaction includes new enrolments, re-enrolments and change of enrolments.

Table A4.14 2004 Enrolment transaction to close of rolls**2004 (1 January to 7 September)**

	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
New Enrolment	111,964	90,454	64,112	40,814	29,490	8,960	8,614	3,648	358,056
Reenrolment	82,401	48,369	75,362	27,224	13,370	6,524	5,466	3,953	262,669
Change of Enrolment	469,943	354,169	397,420	156,041	105,819	44,223	32,356	19,421	1,579,392
									2,200,117

*Enrolment transaction includes new enrolments, re-enrolments and change of enrolments.

Annex 5 – Communications strategy for the 2007 election

A5.1 Communication Strategy Products

A5.1.1 Enrolment and election publications produced by the AEC in 2007 are listed below.

Enrolment products

- *Are You Ready For It* suite of posters, flyers, temporary tattoos and bumper stickers (versions also produced in some languages).
- Fact sheets on proof of identity for enrolment and close of rolls deadlines (versions also produced in 21 languages).
- Targeted fact sheets with enrolment information for prisoners and people experiencing homelessness.
- How to complete your enrolment form brochure (in 21 languages).
- *Your Vote Matters* DVD (versions also produced in 12 Indigenous languages).

Election products

- Election website
- Online voting practice tool
- Candidate's and Scrutineer's Handbooks.
- Election Backgrounders.
- Election Newsfiles.
- Election Night Guide (media guide).
- Formality suite of flip chart, badges for bilingual officials and "three question" cards for polling officials (in 21 languages).
- Group voting ticket booklets and posters.
- Mobile polling posters.
- Nominations pamphlet.

- Polling place formality products.
- *Your Official Guide to the 2007 Federal Election* (produced for each State and Territory, versions also produced in 21 languages and a range of accessible formats).

A5.1.2 Public relations activities and events undertaken by the AEC in 2007 are listed below:

- Mainstream public relations program, incorporating media releases, media briefings, media liaison and media events.
- Rock Enrol partnership with radio triple J at Big Day Out concerts and other music festivals, as well as university orientation weeks.
- National Enrol to Vote Week in high schools.
- Enrolment birthday card program for 17 and 18 year olds.
- New partnerships with other government agencies (such as Centrelink, Medicare, Department of Immigration and Citizenship and ATO) to provide information and enrolment forms to their clients.

A5.2 Communication and engagement with identified target groups

A5.2.1 The JSCEM recommended in its 2004 Election Report that the AEC formulate a plan to encourage enrolment and voting amongst groups experiencing difficulty because of social circumstance (Recommendation 2). In response, and in continuation of ongoing strategies to engage with such electors, the AEC's 2007 election communication strategy included activities to meet the needs of a number of identified target groups.

Culturally and linguistically diverse electors

A5.2.2 Press and television enrolment and election advertising was adapted and translated into languages for placement in culturally and linguistically diverse (CALD) media (21 languages for print, 26 languages for radio and six languages for television). Key election publications were available in 21 languages from the "Information in Your Language" section of the AEC website, and core media releases were translated and provided to CALD media. The AEC's telephone interpreter service was available throughout the election period.

A5.2.3 Two direct mail campaigns (one on enrolment, the other on how to vote) were conducted to provide over 600 CALD community organisations and migrant resource centres with translated publications and advertising material.

A5.2.4 The AEC's election formality strategy included translated how to vote materials for use in polling places, and expansion of its recruitment effort to employ more polling place staff with community language skills. Some polling places played a DVD of translated television advertisements on how to cast a formal vote according to the elector profile in that community.

Indigenous electors

A5.2.5 Mainstream press and radio enrolment and election advertising was adapted (and translated into 6 languages for radio) for placement in Indigenous media, and remote mobile polling was advertised in target communities.

A5.2.6 A 'how to vote' package was distributed to Indigenous community organisations and councils. A section of the AEC website was developed for Indigenous electors, featuring DVD segments, recorded radio interviews and other materials developed for Indigenous electors.

A5.2.7 An important component in reaching Indigenous electors is the Northern and Central Australia Remote Area Strategy (NACARAS) and the Community Education and Information Officers (CEIO) program. NACARAS was implemented in 2006 and is designed to ensure consistent electoral services and service standards are applied across regional and remote areas of northern and central Australia. At Indigenous communities, local assistants who speak the relevant Indigenous languages and have a good understanding of the community are employed by the AEC to provide linguistic services and advice on cultural matters. As with all polling staff, local assistants are required to sign a political neutrality form.

A5.2.8 NACARAS is designed to improve remote electoral services by developing consistent service standards across regional and remote areas of northern and central Australia. The AEC has identified remote mobile polling, and cross-border cooperation as some of the key issues for consideration under NACARAS.

A5.2.9 The Community Education and Information Officers (CEIO) program is an integral part of NACARAS designed to encourage participation for electors in remote areas during the 2007 election. Given the demographics of these regions, a primary focus of the program was to service Indigenous electors. The CEIO program commenced on 1 July 2007 and operated in remote and rural parts of the Northern Territory, Western Australia, Queensland, South Australia and New South Wales. The CEIO program also visited Indigenous electors in urban areas.

A5.2.10 The limited opportunities to engage with remote and rural electors by post makes it important for the AEC to visit remote areas and ensure electors are aware of the electoral process. In many Indigenous communities literacy rates are low meaning that face-to-face visits are the best way to effectively deliver electoral services and ensure remote based Indigenous electors are

correctly enrolled. The informal voting rate is traditionally high in remote areas (in 2007, informality at remote mobile polling locations was 8.6 per cent compared to the national average of 3.9 per cent) and participation is low. The AEC has estimated that voter turnout in remote areas of Australia was around 77 per cent, compared to 95 per cent voter turnout across Australia.¹ The AEC gave special attention to areas identified as experiencing lower voter participation or higher informality rates at the 2004 election.

A5.2.11 The 2007 CEIO program visited over 800 communities (a number of communities had multiple visits) and organisations (the vast majority being Indigenous) in the lead up to the 2007 election. Indigenous staff with valuable contacts, language skills, and knowledge of the communities to be visited were recruited as CEIOs. The CEIOs made contact with community councils, Indigenous organisations, schools, resource centres, Indigenous sporting and other organisations. They also provided targeted AEC publications and pamphlets, enrolment forms, and postal vote applications. Field visits were conducted to raise awareness of the electoral process, to generate enrolment, and to encourage greater participation in the 2007 election. CEIOs collected 1,409 enrolment forms and confirmed the enrolment status of a further 14,500 remote electors. Total expenditure on the 2007 CEIO program was \$466,994.

A5.2.12 Whilst the CEIO program was beneficial in improving roll accuracy and encouraging voter participation for the federal election, an ongoing program of regular visits to remote communities is required as part of a long term strategy to improve roll accuracy, reduce informal voting rates and increase voter participation in remote and rural areas. Field visits could also be undertaken for other difficult to reach groups of electors, including people experiencing homelessness.

Youth

A5.2.13 The AEC undertook a number of initiatives designed to stimulate enrolment and electoral awareness for young Australians in 2007. While participation by young electors still remains lower than the average, there was an increase in participation by young electors at the 2007 election. An estimated 84.5 per cent of eligible electors between the ages of 18 and 25 were enrolled at the 2007 close of rolls, compared to 82.2 per cent in 2004.

¹ Divisions identified as remote by the AEC do not exactly align with ABS remoteness figures for Australia, as these figures do not exactly match the turnout figures are not exact and can only be used as a guide to turnout in remote areas of Australia.

A5.2.14 Youth enrolment activities commenced in December 2006 with a joint initiative with radio triple j's Rock Enrol at the Big Day Out series of summer concerts. Enrolment messages were presented at the concerts and on the Rock Enrol website by prominent bands and artists. The website also provided AEC information about enrolling and links to enrolment forms. AEC involvement in the Rock Enrol initiative and other music festivals continued throughout 2007. These initiatives generated 2,659 new enrolments through the Rock Enrol website and cost \$313,981.

A5.2.15 The AEC promoted enrolment at university orientation weeks using the Rock Enrol brand. This promotion was conducted at 25 universities throughout Australia. The AEC trialled the use of peer-to-peer student marketing services to interact directly with university students. This initiative generated 6,681 enrolment forms and cost \$249,586. This was in addition to other activities conducted by the AEC at university orientation weeks in 2007.

A5.2.16 The first national Enrol to Vote Week (28 May to 1 June 2007) was conducted with the aim of achieving in-school enrolment of 17 and 18 year old senior secondary students. This initiative generated 27,492 enrolment transactions up to the close of roll deadlines for the 2007 election, the majority of which were new enrolments. Enrolments continue to be received as a result of this initiative as participating schools make enrolment forms available to students as they turn 17 and 18. The AEC intends to continue to promote Enrol to Vote week as an annual event. The cost of Enrol to Vote Week in 2007 was \$254,038. This cost included setup costs, including the development of the dedicated Enrol to Vote Week website, which will not be incurred for future events.

A5.2.17 In cooperation with State and Territory electoral bodies, the AEC developed a national ongoing birthday card program, based on a successful Victorian Electoral Commission initiative. The program uses data from relevant State and Territory government agencies (such as education departments, transport authorities and apprenticeship boards) to send a personalised birthday card containing an enrolment form to year 12 students on or near their 17th or 18th birthdays. In the period January to October 2007, 113,846 birthday cards and letters were sent out which generated 13,392 enrolment forms and cost \$88,974.

A5.2.18 A pilot enrolment program was promoted to young people to enable them to request an enrolment form via SMS. 1,947 valid SMS message requests were received through this program, with 1,494 enrolment forms returned at a cost of \$74,229.

A5.2.19 The figures above provide an indication of the number of enrolment forms collected through specific public awareness initiatives. However, many of the initiatives were also designed to prompt further action by the elector, including visiting the AEC website or a Post Office to obtain an enrolment form. As such, they do not necessarily represent the full impact of the individual strategies in encouraging participation by young electors at the 2007 election.

Electors with a disability

A5.2.20 A version of the official election guide was produced for electors with a disability, to provide additional information on accessibility issues, and was distributed in accessible formats to over 20,000 individuals and disability organisations. This material was available, along with candidate information, in a variety of accessible formats on a section of the AEC website developed for electors with a disability. The availability of these materials was promoted in announcements on Radio for the Print Handicapped, which also featured enrolment and election advertising. This was in addition to advertising and other communication activity to support the availability of electronic voting.

Electors experiencing homelessness

A5.2.21 In October 2007, following consultation with State and national peak bodies and service providers, the AEC undertook a campaign to provide packages of information on "itinerant" (no fixed address) enrolment and enrolment forms for people experiencing homelessness to over 1,300 shelters, welfare services and hostels. Fact sheets and other information about enrolling and voting for people experiencing homelessness were available in a special section of the AEC website.

A5.2.22 It was suggested to the AEC that they should provide a trial to provide mobile polling at a shelter in Victoria to service electors experiencing homelessness. However, under the current mobile polling provisions of the CEA this is not permitted. If that change were implemented, the AEC would investigate the feasibility of providing mobile polling at shelters for people experiencing homelessness. At the 2007 election, the AEC worked with several welfare services in Melbourne to work within the current legislation by organising a "Voting Day" for electors experiencing homelessness. The electors were provided with a meal (by the welfare agencies) and some basic electoral information, and then taken to a pre-poll centre in the city where they could vote. This initiative was effective for approximately 50 electors experiencing homelessness taking part in the initiative. The AEC intends to work with welfare agencies in the future to expand and build on this service.

Overseas electors

A5.2.23 The AEC targeted eligible overseas electors with enrolment and close of rolls messages using internet advertising from June 2007 through to the election. This was followed by voter services and how to vote advertising after the close of rolls. This advertising was placed on Australian news websites and other websites viewed by Australians from overseas. The advertising linked viewers to forms, fact sheets and other information on the AEC website.

A5.2.24 Electors who would be traveling overseas on polling day were targeted with information on the DFAT “Smart Traveler” website and pre-poll voting facilities in international airports.

Annex 6 – Declaration vote scrutinies

Schedule 3 to the CEA

Rules for the conduct of a preliminary scrutiny of declaration votes

1. The DRO shall produce unopened all envelopes containing declaration votes of the kind to which the preliminary scrutiny relates received by the DRO:

- (a) in the case of the first preliminary scrutiny—before the commencement of that scrutiny; and
- (b) in the case of a subsequent preliminary scrutiny—after the commencement of the last preceding preliminary scrutiny and before the commencement of the subsequent preliminary scrutiny.

2. All written applications for postal votes not already dealt with at a preliminary scrutiny shall be produced at each preliminary scrutiny of postal votes.

3. The DRO shall compare the signature of the elector on each postal vote application with the signature on the relevant postal vote certificate and allow the scrutineers to inspect both signatures.

3A. For each postal vote certificate not dealt with under paragraph 3, the DRO must compare the signature of the elector on the postal vote certificate with the signature of the elector on:

- (a) the elector's application for registration as a general postal voter; or
- (b) the elector's application for enrolment or transfer of enrolment; and allow the scrutineers to inspect both signatures.

4. The DRO shall divide the envelopes being dealt with into groups, as follows:

- (a) in one group, the envelopes that meet the requirements of paragraph 6;
- (b) in another group, the envelopes that do not meet those requirements.

5. The DRO shall, without opening the envelopes, subject to the operation of paragraphs 23 and 24, exclude from further scrutiny the ballot papers contained in envelopes that do not meet the requirements of paragraph 6.

6. An envelope meets the requirements of this paragraph if the DRO is satisfied:

- (a) in the case of an envelope purporting to contain a postal ballot paper, other than an envelope sent under section 186 to a registered general postal voter who was registered on the

ground specified in paragraph 184A(2)(e) or (f), that the signature on the certificate is that of the elector and that:

- (i) the signature purports to be witnessed by an authorised witness; or
 - (ii) the signature is taken to be witnessed by an authorised witness because of subsection 194(1A); and
- (b) in the case of an envelope purporting to contain a pre poll vote ballot paper, that the certificate has been signed in accordance with section 200E and that the signature purports to be witnessed by the officer who issued the certificate; and
- (c) in the case of an envelope purporting to contain an absent vote ballot paper or a provisional vote ballot paper, that the certificate has been signed in accordance with section 222 or 235 or subsection 234(4), as the case requires, and that the signature purports to be witnessed in accordance with that section or subsection, as the case may be; and
- (ca) in the case of an envelope purporting to contain a provisional vote ballot paper—if the elector (other than an elector to whom subsection 104(4) applies) did not provide evidence of his or her identity in accordance with section 235 at the time of casting the vote, the elector has provided that evidence by the first Friday following the polling day for that election; and
- (cb) in the case of an envelope purporting to contain a postal ballot paper, a pre poll vote ballot paper, an absent vote ballot paper or a provisional vote ballot paper, cast by an elector who is provisionally enrolled—that, by the first Friday following the polling day for that election, the elector has provided an officer with:
- (i) an original certificate of Australian citizenship granted to the elector under section 13 of the Australian Citizenship Act 1948; or
 - (ii) a copy of the certificate of Australian citizenship granted to the elector under section 13 of the Australian Citizenship Act 1948 that has been attested to by an elector in a prescribed class of electors; and
- (d) in the case of an envelope purporting to contain a ballot paper recording a vote cast at a station in Antarctica, the envelope is signed in accordance with subsection 260(1); and
- (e) in the case of an envelope purporting to contain a postal ballot paper, that the vote marked on the ballot paper was recorded prior to the close of the poll.

6A. If the DRO is satisfied that more than one envelope that meets the requirements of paragraph 6 purports to contain a declaration vote by the same elector, the DRO must:

- (a) treat only one of the envelopes, as selected by the DRO, as meeting the requirements of paragraph 6; and
- (b) exclude from further scrutiny the ballot papers contained in the other envelope or envelopes, without opening the envelope or envelopes; and
- (c) seal up in a parcel the envelope or envelopes excluded from further scrutiny by subparagraph (b); and
- (d) write on the parcel a description of its contents, the name of the Division and the date of the commencement of the preliminary scrutiny.

In applying subparagraph (a), the DRO should, to the extent that it is possible, select the envelope that was received first.

6B. Paragraphs 23 and 24 do not apply to envelopes excluded from further scrutiny because of subparagraph 6A(b).

7. Where the envelope purporting to contain a postal ballot paper bears a postmark that includes a date after polling day, the vote marked on the ballot paper shall be taken not to have been recorded prior to the close of the poll.

7A. A vote marked on a postal ballot paper must be taken not to have been recorded prior to the close of the poll if:

- (a) in the case of a ballot paper taken to be witnessed because of subsection 194(1A)—the envelope purporting to contain the ballot paper does not bear a legible postmark; or
- (b) in any other case—the envelope purporting to contain the ballot paper does not bear a legible postmark and the signature of the witness bears a date after polling day.

8. An envelope purporting to contain an absent vote ballot paper or a provisional vote ballot paper or a pre poll vote ballot paper shall not be regarded as failing to meet the requirements of paragraph 6 only because the declaration or certificate, as the case requires, is not witnessed if the voter's name appears on a record made under subsection 232(2) or section 200G, as the case requires, or, if neither of those requirements is met, if the DRO is satisfied that the ballot paper was properly issued.

9. The DRO shall seal up in a parcel the envelopes that do not meet the requirements of paragraph 6 and shall write on the parcel a description of its contents, the name of the Division and the date of commencement of the preliminary scrutiny.

10. If the preliminary scrutiny relates to a Senate election held concurrently with a House of Representatives election or a Senate election held alone, the DRO shall divide the envelopes that meet the requirements of paragraph 6 into groups as follows:

- (a) in one group, the envelopes bearing certificates or declarations by persons who are enrolled for the Division or whose claims for enrolment are claims to which subsection 102(4A) of the Act applies;

- (b) in another group the envelopes to which paragraph 12 applies;
- (c) in another group, the envelopes bearing certificates or declarations by persons who are not enrolled for the Division but are enrolled for the State or Territory in which the Division is situated;
- (d) in another group, the envelopes bearing certificates or declarations by persons who are not enrolled for the Division or for the State or Territory in which the Division is situated.

11. If the preliminary scrutiny relates to a House of Representatives election not held concurrently with a Senate election, the DRO shall divide the envelopes that meet the requirements of paragraph 6 into groups as follows:

- (a) in one group, the envelopes bearing certificates or declarations by persons who are enrolled for the Division or whose claims for enrolment are claims to which subsection 102(4A) of the Act applies;
- (b) in another group, the envelopes to which paragraph 12 applies;
- (c) in another group, the envelopes bearing certificates or declarations by persons who are not enrolled for the Division.

12. This paragraph applies to an envelope if the DRO is satisfied:

- (a) that the elector who signed a certificate or declaration on the envelope is not enrolled for the Division; and
- (b) after making enquiry:
 - (i) that the elector was, at the time of voting, entitled to be enrolled for the Division; and
 - (ii) that the omission of the elector's name from the Roll for the Division was due to an error made by an officer or to a mistake of fact; and
 - (iii) that the omission was not attributable to subsection 118(4A).

13. Subparagraph 12(b) does not apply if:

- (a) more than one election (excluding the election to which the scrutiny relates) has been held since the error or mistake was made; or
- (b) where there has been a redistribution of the State or Territory that includes the Division since the last election but one before the election to which the scrutiny relates, the error or mistake was made before the last such redistribution.

14. In paragraph 13, election means:

- (a) a general election for the House of Representatives;
- (b) a Senate election not held concurrently with a general election for the House of Representatives; or
- (c) a referendum not held concurrently with a general election.

15. The DRO shall, without opening the envelopes, subject to the operation of paragraphs 23 and 25, exclude from further scrutiny the ballot papers contained in envelopes referred to in subparagraphs 10(d) and 11(c).

16. The DRO shall seal up in a parcel the envelopes referred to in subparagraphs 10(d) and 11(c) and shall write on the parcel a description of the contents, the name of the Division and the date.

17. The DRO shall, after the close of the poll for the Division, without unfolding or inspecting them or allowing any other person to do so, withdraw the ballot papers from the envelopes referred to in paragraph 10 or 11 that still remain in the preliminary scrutiny.

18. Ballot papers withdrawn from envelopes referred to in subparagraph 10(a) or (b) or 11(a) or (b) shall be placed in a ballot box by themselves for further scrutiny.

19. A ballot paper for a Senate election withdrawn from an envelope referred to in subparagraph 10(c) shall be placed in the ballot box referred to in paragraph 18 for further scrutiny. A ballot paper for a House of Representatives election withdrawn from such an envelope shall be excluded from further scrutiny.

20. The DRO shall seal up in a parcel ballot papers excluded under paragraph 19 and shall write on the parcel a description of its contents, the name of the Division and the date.

21. Where a ballot paper has been finally excluded from further scrutiny, other than because of subparagraph 6A(b), the DRO shall send to the voter a written statement of the reason for the rejection.

22. For the purposes of paragraph 17, an envelope that contains a ballot paper for a referendum shall be dealt with as if it did not contain that ballot paper.

23. In the course of a preliminary scrutiny of declaration votes, the DRO, as soon as practicable after the ballot papers that are required, under that scrutiny, to be placed in a ballot box under paragraph 18 or 19 are so placed, but not before the close of the poll for the Division, must:

(a) open the parcel of envelopes that contains the ballot papers that are, under paragraph 5 and subject to the operation of this paragraph and paragraph 24, excluded from scrutiny, and deal further with those declaration votes in accordance with paragraph 24; and

(b) open the parcel of envelopes that contains the ballot papers that are, under paragraph 15 and subject to the operation of this paragraph and paragraph 25, excluded from scrutiny, and deal further with those declaration votes in accordance with paragraph 25.

24. For the purpose of dealing further with declaration votes referred to in subparagraph 23(a), paragraphs 3 to 22, inclusive, reapply in relation to those votes as if:

(a) the words "subject to the operation of paragraphs 23 and 24," were omitted from paragraph 5; and

(b) the words “subject to the operation of paragraphs 23 and 25,” were omitted from paragraph 15.

25. For the purpose of dealing further with declaration votes referred to in subparagraph 23(b), paragraphs 10 to 22, inclusive, reapply in relation to those votes as if the words “subject to the operation of paragraphs 23 and 25,” were omitted from paragraph 15.

Annex 7 – Class of electors and prescribed documents

Schedule 2 to the *Electoral and Referendum Regulations 1940*

Prescribed electors

Item	Class of elector
1	Accountant who is a registered tax agent
2	Bank officer, except the manager of a bank travel centre
3	Building society officer
4	Chairperson or Committee member of an incorporated Aboriginal and/or Torres Strait Islander organisation
5	Chartered professional engineer
6	Clerk, sheriff or bailiff of a court
7	Commissioner for Affidavits of a State or Territory
8	Commissioner for Declarations of a State or Territory
9	Commissioner for Oaths of a State or Territory
10	Credit union officer
11	Diplomatic or consular officer, except an honorary consular officer, of an Australian embassy, high commission, or consulate
12	Finance company officer, where the company borrows or lends or otherwise deals in finance as its principal or characteristic activity
13	Full-time or permanent part-time employee of the Commonwealth, or a State or Territory, or a Commonwealth, State or Territory authority
14	Full-time or permanent part-time teacher currently employed at a school or tertiary institution
15	Holder of a current liquor licence
16	Holder of a current pilot's licence
17	Holder of a statutory office for which an annual salary is payable
18	Licensed or registered real estate agent
19	Manager of a building society or credit union
20	Manager of a community, ethnic or remote resource centre
21	Manager of a women's refuge, or of a crisis and counselling service that provides counselling or assistance to victims of domestic violence, sexual assault or sexual abuse
22	Marriage celebrant within the meaning of the <i>Marriage Act 1961</i>
23	Marriage counsellor within the meaning of the <i>Family Law Act 1975</i>

Item	Class of elector
24	Master of a merchant vessel
25	Member of the Association of Consulting Engineers
26	Member of the Association of Taxation and Management Accountants
27	Member of the Australian Defence Force
28	Member of the ground staff of an airline that operates a regular passenger service
29	Member of the Institute of Company Secretaries of Australia
30	Member of the staff of a person who is a member of: <ul style="list-style-type: none"> (a) the parliament of the Commonwealth or a State; or (b) the legislature of a Territory; or (c) a local government authority of a State or Territory
31	Member of the staff of a State or Territory electoral authority
32	Member of the staff of the Australian Electoral Commission
33	Minister of religion within the meaning of the <i>Marriage Act 1961</i>
34	Person employed as a remote resource centre visitor
35	Police aide
36	Postal manager or other permanent Australia Post employee
37	Prison officer
38	Registered dentist
39	Registered medical practitioner
40	Registered nurse or enrolled nurse
41	Registered or licensed surveyor
42	Registered pharmacist
43	Registered physiotherapist
44	A person who is not described in a preceding item in this Schedule before whom statutory declarations may be made under a law of the Commonwealth, a State or a Territory

Schedule 3 to the *Electoral and Referendum Regulations 1940*

Prescribed documents

Item	Document
1	Australian birth certificate, or an extract of an Australian birth certificate, that is at least 5 years old
2	Australian Defence Force discharge document
3	Certificate of Australian citizenship
4	Current Australian passport
5	Current Australian photographic student identification card
6	Card issued by, or under the authority of, a State or Territory government the principal purpose of which (or one of the principal purposes of which) is to prove a person's age
7	Current concession card issued by Centrelink
8	Current concession card issued by the Department of Veterans' Affairs
9	Current credit card or bank account card
10	Decree <i>nisi</i> or a certificate of a decree absolute made or granted by the Family Court of Australia
11	Document of appointment as an Australian Justice of the Peace
12	Current firearms licence (with photograph and signature)
13	Current identity card showing the signature and photograph of the card holder, issued by his or her employer
14	Marriage certificate registered with an Australian State or Territory Registry of Births, Deaths and Marriages, or equivalent
15	Medicare card
16	Current security guard or crowd control licence

Annex 8 – Votes issued by overseas posts for 2007 election

Overseas Post	Pre Poll	PVAs	PVCs*	Total Issued
Abu Dhabi	461	138	96	599
Abuja	10	5	2	15
Accra	36	6	5	42
Amman	134	1	1	135
Ankara	47	8	6	55
Apia	189	0	1	189
Athens	292	35	19	327
Atlanta	41	65	42	106
Auckland	1,083	139	142	1,222
Baghdad	187	0	0	187
Bali	351	22	17	373
Bandar Seri Begawan	78	0	0	78
Bangkok	1,105	110	126	1,215
Beijing	1,384	120	93	1,504
Beirut	100	0	0	100
Belgrade	143	12	5	155
Berlin	407	171	172	578
Brasilia	40	36	28	76
Brussels	178	25	23	203
Budapest	154	4	8	158
Buenos Aires	319	26	25	345
Cairo	199	17	14	216
Canakkale	4	3	0	7
Chennai	128	43	55	171
Chicago	198	100	80	298
Colombo	395	17	35	412
Copenhagen	233	39	46	272
Dhaka	203	2	4	205
Dili	532	0	4	532
Dubai	996	0	23	996
Dublin	670	271	223	941

Frankfurt	134	58	78	192
Fukuoka	59	28	22	87
Geneva	251	220	222	471
Guangzhou	1,284	29	27	1,313
Hanoi	402	15	12	417
Harare	35	3	2	38
Ho Chi Minh City	1,156	21	25	1,177
Hong Kong	9,970	486	421	10,456
Honiara	463	0	3	463
Honolulu	87	14	7	101
Islamabad	92	44	46	136
Istanbul	105	13	14	118
Jakarta	707	59	61	766
Kabul	52	22	26	74
Kathmandu	187	0	2	187
Kuala Lumpur	826	112	95	938
Kuwait	90	52	115	142
Lima	136	10	5	146
Lisbon	114	11	7	125
London	12,737	3,489	3,593	16,226
Los Angeles	357	275	245	632
Madrid	248	99	68	347
Malta	151	6	3	157
Manila	815	66	44	881
Mexico City	96	0	27	96
Milan	191	14	12	205
Moscow	98	0	10	98
Mumbai	172	15	29	187
Nagoya	94	38	35	132
Nairobi	103	17	9	120
Nauru	54	0	0	54
New Dehli	427	74	89	501
New York	1,437	399	96	1,836
Nicosia	146	0	5	146

Noumea	80	0	1	80
Nuku'alofa	96	0	0	96
Osaka	251	72	76	323
Ottawa	164	149	117	313
Paris	1,017	228	244	1,245
Phnom Penh	780	1	6	781
Pohnpei	10	3	5	13
Port Louis	138	5	6	143
Port Moresby	678	98	78	776
Port of Spain	21	8	5	29
Port Vila	191	10	16	201
Pretoria	203	144	93	347
Rangoon	104	5	4	109
Riyadh	74	34	8	108
Rome	378	67	62	445
San Francisco	381	115	139	496
Santiago	378	23	8	401
Sao Paulo	29	0	1	29
Sapporo	38	13	17	51
Seoul	339	38	17	377
Shanghai	1,721	95	73	1,816
Singapore	2,717	110	187	2,827
Stockholm	183	115	115	298
Suva	395	33	24	428
Taipei	1,028	179	206	1,207
Tarawa	35	0	0	35
Tehran	88	1	3	89
Tel Aviv	203	22	20	225
The Hague	296	206	168	502
Tokyo	984	234	226	1,218
Toronto	491	30	27	521
Tripoli	0	0	33	0
Vancouver	676	11	104	687
Vienna	252	49	38	301

Vientiane	300	40	33	340
Warsaw	140	59	36	199
Washington	585	756	397	1,341
Wellington	588	191	79	779
Zagreb	142	64	43	206
Total	59,747	10,312	9,465	70,059

*Completed postal vote certificate returned to Australia

Annex 9 – Reports relating to the electronic voting trials

Please refer to separate documents supplied.

Annex 10 – Amendments to the *Commonwealth Electoral Act 1918*

2008 TECHNICAL AMENDMENTS

Commonwealth Electoral Act 1918 (CEA)

Provision	Comment
17(1A)	This section still refers to subsection 91(4A) and 91(4A)(e) which were deleted after consequential amendments to the CEA for roll access. Needs to be updated to refer to 90B(1) and 90B(4).
90B(1), Item 13	Replace incorrect reference to ‘the Senator’ with ‘the member’.
93(8AA), 208(2)(c) and 221(3).	The High Court held in <i>Roach v Electoral Commissioner</i> [2007] HCA 43 that certain provisions of the CEA are invalid because they are contrary to the Commonwealth Constitution. The Court held that subsections 93(8AA) and paragraph 208(2)(c) of the CEA are constitutionally invalid.
Part XI and section 123	The ‘Electoral Commission’ is defined for the purposes of the CEA in section 4 and the term is used generally throughout the CEA. Part XI separately defines and uses the term ‘Commission’ except in section 138A where it refers to the ‘Electoral Commission’. The distinction between ‘Commission’ and ‘Electoral Commission’ serves no purpose and should be remedied for legislative consistency.
171	Section 171 contains an incorrect cross-reference to paragraph 170(a)(ii), which should be to paragraph 170(1)(b).
306A(8)	Delete reference to AFIC Codes and the <i>Corporations Act 2001</i> . The AFIC Codes are no longer based in the <i>Corporations Act 2001</i> and ADI’s are now regulated by APRA under the <i>Banking Act 1959</i> .
314AA(1)	Remove the repeated word ‘or’ in the sentence.
318(2)	Reference to ‘3(c)’ appears incorrect. Replace with ‘3’ to correct typographical error.
385A(2)	Delete reference to section 332 of the CEA. Section 332 was repealed in 1999.
390A	Remove reference to section 10 of the <i>Crimes Act 1914</i> , as section 10 has been repealed.
Various sections	The use of a hyphen in the words ballot and paper is inconsistent through out the CEA. That is, ballot paper and ballot-paper are used interchangeably. It is recommended that the hyphen is removed.

Referendum (Machinery Provisions) Act 1984 (Referendum Act)

49(1)	Requires amendment to be consistent with subsection 80(1) of the CEA to provide for an explicit power to abolish polling places by notice in the <i>Gazette</i> .
Various sections	The use of a hyphen in the words ballot and paper is inconsistent through out the Referendum Act. Ballot paper and ballot-paper are used interchangeably. It is recommended that the hyphen is removed.

2008 OPERATIONAL AMENDMENTS

Commonwealth Electoral Act 1918

Provision	Comment
31(4)	This subsection comes under the heading of Assistant Australian Electoral Officers for States, however refers to a person acting as AEO for the ACT (this is already covered by subsection 30(4)). Should read 'An Assistant Australian Electoral Officer for a State who is acting as Australian Electoral Officer for the State has, and may exercise, all the powers of the Australian Electoral Officer for the State.'
90A	The CEA does not explicitly prohibit the photographing and photocopying of the roll that is available for public inspection. If the recording of the roll by electronic device is not stopped it will allow for the recording of electoral roll information on a large scale. This may result in inappropriate use of electoral roll information.
90B(1) Item 16	Provision of roll information to State or Territory electoral authority. In the 2004 amendments, the mechanism for providing roll information to State and Territory electoral authorities was rolled into the table in subsection 90B(1). An inadvertent consequence of this is that the information can only be used for a permitted purpose. Subsection 91A(2B) currently limits the use of this information to any purpose in connection with an election or referendum, and monitoring the accuracy of information contained in a Roll. States such as WA use the information for a range of purposes, for example, jury lists.
126(2A)(b)	Section 126 deals with political parties who are applying to become registered political parties. Located within this section is subsection 126(2A), which deals with membership of the political party. Subsection 126(2A) applies to both applicant political parties and already registered political parties. The current language of paragraph 126(2A)(b) implies that any person may easily change the Register of Political Parties at any time. In reality a change to the Register of Political Parties can only be executed by following the requirements in section 134 of the CEA. Paragraph 126(2A)(b) should refer to section 134 to align these two sections.
129(1)(d) and (da)	These provisions concern the registration of political parties. The previous government attempted to stop the registration of parties with similar names to the established parties by introducing these provisions. Considering the result of the AAT case on 'liberals for forests' and the advice sought from several Senior Counsel it appears that these provisions would not stop parties with similar words as existing parties from being registered. The application of these provisions is impossible due to the subjective test in the provisions. Recommended solution is to repeal the section or to provide a regulation making power to prescribe certain words that may not be used, for example, 'Labor'.

131	<p>To become a registered political party an application must be made to the AEC (section 126). The AEC must give the applicant notice if their application is faulty. After the AEC has given the applicant this notice, section 131(2) provides that the AEC is not required to consider the issue further until they receive a written request from the applicant. As section 131 of the CEA currently stands, there is no limitation period on the time the applicant can take to reply to a notice issued by the AEC. This means that there is no resolution of applications where no response is received to a notice under section 131(1). To facilitate administrative efficiency a reasonable time limitation should be attached to section 131.</p> <p>Amend section 131 to make clear that an application lapses if a notice under section 131(3) is not received within 90 days of the issue of a notice under section 131(1). This will resolve applications where no response is received to a notice under section 131 (1).</p>
132A and 133	<p>These provisions cover the same topic. Sections 132A and 133 are in Part XI of the Act dealing with Registration of Political Parties. Section 132A explicitly states that the Commission must give reasons to applicants in relation to any decisions made under Part XI. Subsection 133(3) states that the Commission must give an applicant written notice of any decisions where an application of registration of a political party has been refused. This subsection is unnecessary duplication of the requirements of section 132A, which already requires written notice of all decisions.</p>
185(1A)	<p>Repeal this provision. The current provision requires the DRO to ask Defence and AFP for information about the movements of their personnel. For security reasons this information is not openly available. Therefore, a DRO will not know when Defence or AFP personnel leave for their overseas service.</p>
195A(6)	<p>Subsection 194(2) of the CEA provides that where a postal vote is unlikely to reach the appropriate Divisional Returning Officer within 13 days after polling day a person can hand their postal vote to a person who is at a capital city office of the Electoral Commission and who is an officer of the AEC as provided for by subparagraphs 195(2)(h)(i) and 195(2)(h)(ii). Subsection 194(3) provides that where an officer receives a ballot paper under this provision they must deal with the ballot paper in accordance with section 195A and 228 of the CEA.</p> <p>As a matter of current procedure the AEC receives all ballot papers from overseas electors to one post office address in Sydney. The AEC has received advice from the Australian Government Solicitor that the procedural requirements for dealing with postal votes as set out in subsection 195A(6) do not apply to postal votes received from overseas electors to the Sydney post office address. For the avoidance of doubt the AEC would like subsection 195A(6) to be amended to specifically state that it only applies to postal votes received in accordance with subsection 194(2).</p>

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Part VII	Include a provision for the date fixed for the return of the writ shall not be more than 100 days after the issue of the writs. This will make this consistent with section 159 of the CEA.
Part III	Provide for Electoral Commissioner discretion for 'Other Mobile Polling' where it is necessary or convenient to be done for the conduct of elections. This provision may provide for mobile polling to be conducted other than as currently provided, such as the town camps outside Alice Springs.