



Electoral Commissioner



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Ms Siobhan Leyne
Inquiry Secretary
House Standing Committee on Regional Australia
Parliament House
CANBERRA ACT 2600

Dear Ms Leyne

Inquiry into the use of 'fly-in, fly-out' and 'drive-in, drive-out' workforce practices in regional Australia

Please find attached the Australian Electoral Commission's submission to the Committee's Inquiry into the use of 'fly-in, fly-out' and 'drive-in, drive-out' workforce practices in regional Australia.

Yours sincerely

Ed Killesteyn
Electoral Commissioner

21 October 2011

AUSTRALIAN ELECTORAL COMMISSION

**SUBMISSION TO THE INQUIRY BY THE HOUSE
OF REPRESENTATIVES STANDING
COMMITTEE ON REGIONAL AUSTRALIA INTO
THE USE OF 'FLY-IN, FLY-OUT' AND 'DRIVE-IN,
DRIVE-OUT' WORKFORCE PRACTICES IN
REGIONAL AUSTRALIA**

21 OCTOBER 2011

1. Introduction

- 1.1 On 23 August 2011, the Minister for Regional Australia, Regional Development and Local Government, the Hon. Simon Crean, asked the Committee to inquire into and report on the 'fly-in, fly-out' (FIFO) and 'drive-in, drive-out' (DIDO) workforce practices in regional Australia, with specific reference to:
- the extent and projected growth in FIFO/DIDO work practices, including in which regions and key industries this practice is utilised;
 - costs and benefits for companies, and individuals, choosing a FIFO/DIDO workforce as an alternative to a resident workforce;
 - the effect of a non-resident FIFO/DIDO workforce on established communities, including community wellbeing, services and infrastructure;
 - the impact on communities sending large numbers of FIFO/DIDO workers to mine sites;
 - long term strategies for economic diversification in towns with large FIFO/DIDO workforces;
 - key skill sets targeted for mobile workforce employment, and opportunities for ongoing training and development;
 - provision of services, infrastructure and housing availability for FIFO/DIDO workforce employees;
 - strategies to optimise FIFO/DIDO experience for employees and their families, communities and industry;
 - potential opportunities for non-mining communities with narrow economic bases to diversify their economic base by providing a FIFO/DIDO workforce;
 - current initiatives and responses of the Commonwealth, State and Territory Governments; and
 - any other related matter.
- 1.2 This submission generally discusses electoral services provided to eligible FIFO/DIDO workers in the resources sector, who work in regional or remote areas of mainland Australia.¹ The Australian Electoral Commission (AEC) is aware that those workers in the resource sector who commute long distances to work sites, may do so in a number of ways: by plane, by helicopter, by private vehicle, by company bus, by ship or by a combination of these approaches. Further, work sites may consist of workers who work for different companies and/or include a mix of workers who reside locally, regionally, elsewhere within the state or interstate.

¹ The term 'FIFO/DIDO electors' is generally used in this submission to describe Australians eligible to enrol and vote, who work in the resources sector, that *work* in regional or remote areas of mainland Australia. The term 'mine workers' is generally used in this submission to describe Australians eligible to enrol and vote, who work in the resources sector, that *live or work* in regional or remote areas of mainland Australia.

- 1.3 Electoral services for FIFO/DIDO electors at the 2010 federal election were delivered as part of efforts to provide services to *all* eligible Australians living or working on resource projects in remote or regional Australia.
- 1.4 This submission is provided to inform the work of the Committee, particularly in relation to the provision of electoral services at the 2010 federal election. The remainder of the submission is structured under the following headings:
 2. Background
 3. Recent changes to electoral arrangements
 4. The 2010 federal election
 5. Challenges
 6. Conclusion and options for improving the accessibility of electoral services for FIFO/DIDO electors

2 Background

- 2.1 Generally speaking, all Australian citizens who are 18 years of age or over and certain 'British subjects' are entitled and obliged to enrol and to vote at federal elections and referendums. To facilitate this, the AEC seeks to ensure that, within the bounds of budgetary and legislative constraints, all eligible persons have equitable access to enrolment and voting services, without undue difficulty or inconvenience.
- 2.2 Under the *Commonwealth Electoral Act 1918* (the Electoral Act), responsibility for enrolling rests with individuals, who are obliged to lodge an electoral enrolment form when eligible to do so, for his or her permanent address. The enrolment process is set out in detail in Parts VI to X of the Electoral Act, and is summarised on the AEC website.²
- 2.3 The processes for the conduct of polling are prescribed in detail in Parts V and XIII-XIX of the Electoral Act. Aspects prescribed include the election timetable and the method for issuing, verifying and counting votes. The Electoral Act also provides for a wide range of voting options – electors may vote on polling day or before polling day by post or in person. Further detail on voting options is available from the AEC website.³

² See <http://www.aec.gov.au/enrol/>.

³ See http://www.aec.gov.au/Voting/ways_to_vote/.

3 Recent changes to electoral arrangements

- 3.1 A number of electoral reforms to modernise enrolment and voting processes were agreed to by the previous Parliament which, once fully legislated and implemented, will result in improved access to electoral services for electors residing in, or working in regional Australia.
- 3.2 One of these reforms, implemented during the close of rolls period for the 2010 federal election, enables persons who are already on the electoral roll to update their address details by providing this information to the AEC without the submission of a signed paper enrolment form. This 'online address update' mechanism removes the previous need for the AEC to receive a hard copy document containing the elector's signature. The Commonwealth is the first jurisdiction in Australia to introduce online address update. For the 2010-11 financial year some 440 000 electors used the online enrolment application form to change their enrolment details.
- 3.3 Also implemented in time for the 2010 federal election was an expansion of the eligibility criteria for postal or pre-poll voting. This introduced the grounds of being absent or expecting to be absent from the division (in addition to the existing ground of being absent from the State or Territory) for which an elector is enrolled on polling day, as a valid ground on which electors can apply for a postal or pre-poll vote.
- 3.4 Additional reforms that are expected to be implemented over the current Parliamentary term in time for the next federal election, include:
- enabling online application for postal votes;
 - expanded/increased flexibility for mobile polling arrangements; and
 - enabling postal votes postmarked after polling day, but witnessed prior to the close of poll be admitted to the count.
- 3.5 Taken together, the AEC anticipates these measures will assist those residing in, or working in regional Australia by:
- providing an option for electors to interact with the AEC online when applying for postal votes, or updating enrolment;
 - reducing reliance on access to, and the timeliness of, postal services; and
 - providing greater flexibility to conduct pre-poll (early) and mobile voting at times and locations which meet elector needs.

4 The 2010 federal election

- 4.1 A range of activities were undertaken by the AEC to facilitate voting by mine workers at the 2010 federal election. These included:
- contacting mining companies and sites by email and telephone to inform them of the voting services that were available, and provide promotional material for display or distribution;
 - conducting mobile polling at a small number of mine sites;

- sending bulk supplies of Postal Vote Applications (PVAs) to mine management for distribution to staff;
 - delivery of PVAs to some mine sites along with AEC boxes to collect the completed PVAs;
 - delivery of PVAs to aircraft servicing mine sites;
 - conducting pre-poll voting at domestic airport terminals;
 - provision and distribution of information via interviews on regional radio and via industry, union and mining company publications.
- 4.2 In addition some aircraft charter operators allowed promotion of voting services within terminal buildings, and some contractors operating mining accommodation centres distributed PVAs to each worker.
- 4.3 For the most part, planning and provision of AEC services to mine workers was managed at the local divisional office level. In Western Australia a state-based strategy was implemented for the 2010 election in response to the rapid growth in mining activity and use of FIFO workers.⁴

Enrolment

- 4.4 As noted at paragraphs 2.1 and 2.2 above, the Electoral Act prescribes that a person who is entitled to enrol, is obliged to enrol by lodging an electoral enrolment form for the division in which his or her permanent address is located.
- 4.5 Electors are required to complete an enrolment form not only to enrol, but also to change their enrolled address. Until 19 July 2010 all enrolment forms had to be signed by hand; from 19 July 2010 legislative amendments took effect which removed the requirement for a signed enrolment form to be provided by enrolled electors updating their address.
- 4.6 Enrolment forms are available from the websites and offices of the AEC and state and territory electoral commissions. Printed forms are also available from Australia Post outlets, Centrelink and Medicare customer service centres, and through the Australian Tax Office.
- 4.7 Enrolment forms may be submitted in person, by mail, or by fax. Scanned enrolment forms may be submitted via email, and as of 19 July 2010, forms for enrolled electors updating their address could be submitted online via the AEC's online enrolment facility. This facility

⁴ For a summary of Western Australia's challenges in providing electoral services at the 2010 federal election, including those relating to staffing and polling services for mine workers, see Committee Hansard, Joint Standing Committee on Electoral Matters, *Inquiry into the 2010 federal election*, Adelaide, 30 March 2011, pp. 18-20 (P Kramer, State Manager and Australian Electoral Officer for Western Australia), available at: <http://www.aph.gov.au/hansard/joint/committee/J13769.pdf>.

will facilitate FIFO/DIDO electors' ability to update their enrolment details at any time, especially during close of rolls.

- 4.8 The Electoral Act also provides for specific enrolment arrangements for certain electors, including those who:
- are unable to sign an enrolment form because of physical incapacity;⁵
 - are overseas;⁶
 - are itinerant;⁷
 - are experiencing homelessness;⁸
 - work in Antarctica;⁹
 - reside in Norfolk Island;¹⁰
 - are serving a prison sentence;¹¹ and
 - have a fear for the personal safety of themselves or their family.¹²
- 4.9 There is a deadline specified in each election writ after which the roll will be 'closed' for that election. This is known as the 'close of rolls'. The roll at that date forms the basis for the list of electors who are entitled to vote at that election. The close of rolls is the seventh day after the date on which the writ is issued.¹³

Voting

- 4.10 Generally speaking, the main voting services available to mine workers living or working in regional Australia *before* polling day included:
- mobile polling
 - postal voting
 - pre-poll voting at designated pre-poll voting centres
- 4.11 The main voting options available to mine workers *on* polling day included voting at an 'ordinary' or 'static' polling place, or at an interstate voting centre.

⁵ *Commonwealth Electoral Act 1918* (Electoral Act), subsection 98(3).

⁶ *ibid.*, sections 94 – 95.

⁷ *ibid.*, section 96.

⁸ *ibid.*, section 96.

⁹ *ibid.*, subparagraphs 114(1B)(c) and 114(4)(c) and section 249.

¹⁰ *ibid.*, section 95AA.

¹¹ *ibid.*, section 96A.

¹² *ibid.*, section 104.

¹³ For the 2010 federal election, the public announcement occurred on 17 July 2010, the writs were issued on 19 July 2010 and the rolls closed at 8pm 26 July 2010. At the time of the public announcement the cut-off for new enrolments was 8pm 19 July 2010 and the cut-off for enrolment updates and the close of rolls was at 8pm 22 July 2010. On 6 August 2010, the High Court of Australia in *Rowe v. Electoral Commissioner* [2010] HCA 46 (*Rowe*) overturned the above-noted close of rolls provisions and reinstated the pre-2006 provisions prescribing a seven day close of rolls for all enrolment types, including new enrolments.

- 4.12 A summary of the requirements of the main forms of polling and how they were used to service mine workers are outlined below.

Mobile polling

- 4.13 Under the Electoral Act mobile polling may be conducted up to twelve days before polling day, and on polling day. Remote mobile polling has traditionally been conducted by teams travelling 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 for all sites visited by the team are aggregated prior to the counting of votes to protect secrecy of the vote.
- 4.14 Mobile polling practices have significantly improved and expanded over recent federal elections. For example, in 2007 the practice of enabling remote mobile polling teams to issue interstate votes was introduced.¹⁴ In remote areas this service generally provides voting facilities to the growing number of interstate tourists – this was particularly the case in 2010, which was the first winter/dry season election since 1987. However, where mine workers cast votes with remote mobile voting teams, this service enables those workers whose enrolled address is interstate to cast a vote.
- 4.15 Under previous arrangements that largely applied at the 2010 federal election, mobile polling could be conducted at hospitals that are polling places, hospitals that are gazetted as ‘special hospitals’, prisons and remote divisions, over varying time periods. Legislation has been amended so that there is now one form of mobile polling, and mobile polling can be conducted anywhere the Electoral Commissioner determines, in the twelve days leading up to, and on, polling day. These revised arrangements will be in place for the next federal electoral event.
- 4.16 At the 2010 federal election remote mobile polling commenced on Monday 9 August 2011. The AEC provided mobile polling at a small number of mining sites, which included McArthur River mine and the Wadeye gas project in the Northern Territory, and Murrin Murrin and Telfer mines in Western Australia. Where feasible this polling was structured around changeover of shifts. In practice this meant that polling at some sites was conducted late in the afternoon or evening one day and then re-commenced early morning the next day prior to the departure of the team.

¹⁴ This is currently enabled by establishing mobile polling teams as pre-poll voting offices (Electoral Act, section 200BA refers).

Postal voting

- 4.17 Postal voting is available to electors who register to receive a postal vote for every election ('general postal voters'), and to those who apply to receive a postal vote for a specific election (discussed below).
- 4.18 An elector may apply for a postal vote at a specific election based on any one of a number of grounds specified in Schedule 2 of the Electoral Act (these are the same grounds for application for a pre-poll vote).¹⁵ These include where he or she cannot attend a polling place on polling day, or may be absent from his or her enrolled division. Postal vote applications (PVAs) may not be made until after the issue of the writ or the public announcement of the election, whichever is the earlier.
- 4.19 Upon receipt of a PVA the AEC will send the applicant a postal voting package (PVP), which contains the ballot materials for the applicant. PVPs cannot be distributed until candidate nominations close and ballot papers are printed. In effect this usually means that the first PVPs are distributed on or about the Monday 19 days before polling day.
- 4.20 Applications for postal votes must be received by the AEC by 6pm on the Thursday before polling day. The AEC advised the Joint Standing Committee on Electoral Matters' (JSCEM) inquiry into the 2010 federal election that having a deadline for receipt of PVAs so close to polling day may mislead electors into thinking that they will receive their ballot papers in time to receive and complete them on or before polling day, when the reality is that in many cases they will not. The JSCEM subsequently recommended that the Electoral Act be amended so that the deadline for receipt of postal vote applications be 6pm on the Wednesday three days before polling day.¹⁶
- 4.21 At the 2010 federal election, postal voting was a key method by which onsite mine workers were provided with voting services. Recognising that mail delivery is either not possible or not a frequent occurrence for many mine sites, the AEC made arrangements with a number of contracted couriers, mine companies, mine management, mining accommodation providers, and aircraft operators for the bulk delivery and distribution of postal voting materials. In Western Australia a number of mining companies assisted the AEC through the local coordination of PVA issue and return to the AEC for processing, including nominating their business addresses as the return address for PVPs. In turn, this enabled the AEC to process these applications

¹⁵ Electoral Act, Schedule 2 refers.

¹⁶ Recommendation 15 refers. See JSCEM, *The 2010 Federal Election: Report on the conduct of the election and related matters*, June 2011, p. 62, available from <http://www.aph.gov.au/house/committee/em/elect10/report.htm>. The Government is considering its response to this recommendation.

in batches, print postal ballot materials, and bulk dispatch these to the nominated postal addresses. Companies in other states, which included (but were not limited to) Esso in Victoria, and Santos in South Australia, also provided assistance in the bulk dispatch and transport of postal ballot materials to their onsite workers.

Pre-poll voting

- 4.22 Pre-poll voting is available to electors who satisfy a range of criteria outlined in Schedule 2 of the Electoral Act. The AEC may declare specific places to be pre-poll voting centres (PPVCs), and the days on which and the hours during which polling may take place; these details are published, for example in newspapers and on the AEC's website.
- 4.23 A person cannot apply for a pre-poll vote earlier than two days after the nominations for the Senate are declared. At the 2010 election, this day fell on Sunday 1 August, so in effect pre-poll voting was not available until Monday 2 August 2011. Pre-poll voting was available from, or near to all AEC divisional offices from 2 August 2011.¹⁷
- 4.24 At the 2010 federal election 682 PPVCs were established, including many in metropolitan, regional and remote localities where mine workers live or work. For example, PPVCs were established at:
- towns located adjacent to mining operations such as Nhulunbuy and Jabiru (in the Northern Territory), Weipa (in Queensland) and Cobar, Narrabri, Mudgee and Lightning Ridge (in New South Wales);
 - regional cities servicing mining operations such as Dubbo (in New South Wales), and Gladstone, Rockhampton and Mackay (in Queensland);
 - mining accommodation centres located at Coppabella, Dysart and Nebo (in Queensland); and
 - regional towns serving as FIFO transit points such as Karratha and Port Headland (in Western Australia).

PPVCs in airports

- 4.25 Following on from practice at previous elections, pre-poll voting centres were established at domestic and international airports to enable passengers departing or travelling within Australia to cast a ballot.
- 4.26 A listing of state based arrangements for airport PPVCs is provided in the table below.

¹⁷ For the location of divisional offices see:
http://www.aec.gov.au/About_AEC/Contact_the_AEC/index.htm#dolist.

State/ Territory	Location	Period of operation
NSW	Kingsford Smith	Operated at the international (terminal 1), domestic (terminal 2) and QANTAS (terminal 3) in the two weeks prior to polling day and on polling day
VIC	Tullamarine	Operated at the domestic terminal only, for two weeks prior to polling day and on polling day.
QLD	Brisbane	Operated at the international and domestic terminal for the two weeks prior to polling day.
	Cairns Airport	Operated for the two weeks prior to polling day.
	Coolangatta	Operated for the five days prior to polling day.
WA	Perth	Operated at International Terminal, QANTAS Domestic Terminal, Terminal 3, Skippers Aviation Terminal, Network Aviation Terminal and Cobham Terminal for the two weeks prior to polling day and on polling day. ¹⁸
SA	Adelaide	Operated for one week prior to polling day and on polling day..
TAS	Nil	Nil
ACT	Nil	Nil
NT	Darwin	Operated for five days prior to polling day, for two shifts covering midday and midnight ¹⁹ departures.
	Alice Springs	Operated for five days prior to polling day.

4.27 As the Perth airport precinct is a significant transit and departure point for Western Australia's large FIFO workforce, the number of airport PPVCs was doubled (from three to six) and the hours of operation extended from the arrangements used for the 2007 election. The table below reflects the growth in votes taken at each terminal for each federal election since 2004.

¹⁸ Skippers Aviation Terminal, Network Aviation Terminal and Cobham Terminal were not operational on weekends or polling day.

¹⁹ Operations ceased at 6pm on the Friday before polling day.

	2004 ²⁰	2007	2010 ²¹
Cobham Airport PPVC (regional charter operator)	-	-	586
Domestic Terminal 3 PPVC	631	1 160	3 965
International Terminal PPVC	1 087	1 328	1 477
Network Airport PPVC (regional charter operator)	-	-	259
Qantas Domestic Terminal PPVC	1 470	2 056	2 199
Skippers Airport PPVC (regional charter operator)	-	-	526
Grand Total	3 188	4 544	9 012

4.28 The hours of operation in the main terminals were continuous between the hours of 5am and 7pm to service both FIFO and regular airline traffic. Hours of operation in the regional terminals was staggered to cater for shift operations and normally ran for periods of two to three hours in the early morning and again in the mid afternoon.

Static polling

- 4.29 Polling is conducted from 8am to 6pm on polling day. All electors seeking to vote are asked for their full name, where they live and whether they have already voted in the election.
- 4.30 On polling day, an elector may cast a vote in one of four main ways:
- ordinary voting at any polling place in the division for which an elector is enrolled
 - absent voting at any other polling place outside an elector's enrolled division, but still in the state or territory for which an elector is enrolled
 - provisional voting, for example for electors whose names cannot be found on the certified list, or whose names have already been marked as having voted
 - 'interstate voting' at designated (interstate) voting centres.
- 4.31 Ordinary votes, absent votes and provisional votes may be cast at all static polling booths.
- 4.32 Interstate votes may only be cast at locations designated as interstate voting centres. Some interstate voting centres may operate at the same premises as static polling places. A larger number of interstate voting centres are established in rural and remote divisions than in urban divisions. For the 2010 federal election, interstate voting centres operated in numerous mining localities on polling day, including:
- Collinsville and Clermont (in Queensland)

²⁰ Regional charters not operating. Domestic Terminal 3 only one aircraft operator.

²¹ Domestic Terminal 3 running multiple aircraft operators, including specific FIFO operators.

- Nhulunbuy and Jabiru (in the Northern Territory)
- Norseman, Derby, Leinster, Kununurra and Tom Price (in Western Australia)

5 Challenges

The election timetable

- 5.1 Whilst the AEC undertakes extensive planning to ensure that it is ready to conduct an election, it is only following the announcement of the election that the AEC can finalise a significant proportion of arrangements. For the 2010 federal election, the AEC had 35 days in which the following key aspects of the election were finalised:
- a \$10 million advertising, promotion and media campaign;
 - the close of rolls following processing of over 560 000 enrolment transactions;
 - printing and distribution of some 35 000 certified lists;²²
 - nominations for 849 candidates for the House of Representatives and 349 Senate candidates;
 - printing of 43 million ballot papers;
 - distribution of 967 000 postal vote packages;
 - locations and times when polling could be conducted for 682 pre-poll voting centres, 103 overseas posts, 455 special hospitals, 38 remote mobile teams, 19 prison mobile teams, 5 overseas defence force teams and 7,760 ordinary polling places; and
 - recruitment and training of some 67 000 temporary staff.

The elector

- 5.2 A relevant input to the environment in which the AEC delivers electoral services is the behaviour and expectations of electors. Some observations relevant to this include that:
- A significant number of eligible Australians are not enrolled, or do not maintain up to date enrolment details. Many eligible Australians seek to enrol or update their enrolment details once an election is announced.
 - Electors may reasonably expect to receive accurate advice regarding their enrolment status and voting arrangements, in a timely manner, through a variety of channels.
 - Electors expect to be provided with a range of enrolment and voting options which are accessible and convenient. An increasing proportion of electors seek to cast an early vote, that is, a pre-poll vote or a postal vote. An increasing number of electors seek to interact with the AEC electronically.

²² This figure includes supplementary certified lists that were printed following the High Court decision in *Rowe*.

- 5.3 In the FIFO/DIDO context, elector expectations of the AEC may be influenced by arrangements, such as:
- rostering, which could require a worker to be onsite for anywhere between five and 26 days; and
 - the extent to which the company they work for facilitates access to electoral services.
- 5.4 In general however, when living or working in remote Australia, the barriers to accessible and convenient voters services for FIFO/DIDO electors are not necessarily any greater than those of a range of other Australians living and working in remote Australia.
- 5.5 Each of these factors have implications for workloads and planning of electoral services in an election period. The AEC's ability to meet some elector expectations is often limited by legislation (for example, legislation which allowed electors to update their enrolment address online did not come into effect until 19 July 2010) or financial or logistical considerations.
- 5.6 However, the AEC is keenly aware that public participation in, support for and trust in the electoral system and its administration is important in providing legitimacy to its processes and outcomes.²³

Providing relevant information, in the right place, at the right time

- 5.7 The working, living and transport arrangements of FIFO/DIDO electors are such that there are inherent complexities in providing timely, relevant and practical enrolment and voting information within the tight timeframe of the election period.
- 5.8 At the 2010 federal election, the AEC's national advertising campaign was designed and implemented around three phases: the 'close of rolls', 'voter services' and 'formality'. Media used to carry AEC advertising included television, radio, newspapers and the internet.
- 5.9 The promotion of voting options for FIFO/DIDO electors was undertaken as part of the broader national advertising campaign that raised awareness of the need to vote and the availability of early voting and remote mobile polling for those who could not get to their local polling place on election day.
- 5.10 This was supported by a targeted public relations-based approach to raising awareness of early voting and remote mobile polling options for

²³ For the 2010 federal election, the AEC conducted a voter survey to gain insight into the voting experience and elector perceptions of the AEC. See AEC, submission number 87 to JSCEM, *Inquiry into the conduct of the 2010 Federal Election and matters related thereto*, pp. 161-164, available at: <http://www.aph.gov.au/house/committee/em/elect10/subs/Sub087.pdf>.

relevant electors. Where possible, local detail on early voting options was promoted through appropriate third parties (such as local media and mining companies) and at relevant locations (such as airports and accommodation centres).

- 5.11 Although it is outside the scope of this submission, the AEC also notes that the working and living arrangements of FIFO/DIDO electors may impact on the ability of these electors to be informed, involved and engaged in issues that are important to them. One avenue through which Australians can engage is through electoral participation – to this end the AEC makes extensive efforts to provide FIFO/DIDO electors with information on how to enrol and vote and produces educational material on the electoral process with a view to encouraging electoral participation. However, it is not clear whether or not the working and living arrangements of FIFO/DIDO electors may impact on their ability to obtain information regarding their local candidate, provide their views on local issues, or have their views on local issues represented.

Where to enrol?

- 5.12 The residence requirements of the Electoral Act regarding the enrolment process requires careful management by the AEC so as not to cause confusion to electors and to ensure consistency in application by AEC staff.
- 5.13 Subsections 99(1) and 101(1) of the Electoral Act provide that living at an address for a period of one month creates an entitlement to enrol at that address, and requires the elector to lodge a claim for enrolment at that address. However, the Electoral Act does not set out what it means to *live at an address*.
- 5.14 For most electors, living at an address is readily established, though this is not the case for a significant minority. Some electors may, while living at one place for extended periods greater than one month, consider their real place of living to be elsewhere. For example:
- a student may live at a university student residence for most of the year, while maintaining enrolment at another address (say, that of their parents); or
 - a miner may live and work at a remote mine site for extended periods, while remaining enrolled at the address of their family home in a capital city.²⁴
- In these cases, enrolment at the address the elector considers to be their 'permanent home address' is considered appropriate. However, if

²⁴ The AEC is also aware of a number of electors who have enrolled for an address that is the actual geographic location of a mining site, on the basis that they spend several weeks residing at the site at a time. These electors are usually offered postal voting status.

the AEC is not aware of an elector's particular circumstances it is possible that they may be removed from the roll if they do not respond to AEC correspondence.

Enrolling or updating enrolment before the close of rolls

- 5.15 The announcement of the election is catalyst for many to check their enrolment status. Enrolment can be checked via the AEC's online enrolment verification facility,²⁵ or by contacting the AEC by telephone on 13 23 26.
- 5.16 For the increasing number of electors who need to update their enrolment or enrol following the announcement of the election, the interaction of the requirement that enrolment forms must be received by the AEC prior to the close of rolls, with the logistics of mail services in some remote areas, effectively precludes the use of mail by some electors during the close of rolls period.²⁶
- 5.17 Electors who are unable to use mail services to enrol or update their enrolment prior to the close of rolls may interact with the AEC electronically, should they have access to the internet. There are some legislative limitations when interacting with the AEC electronically when enrolling for the first time or re-enrolling, in that applicants have to either:
- print an enrolment form and sign it by hand, scan it, then return it to the AEC (via email, fax, mail); or
 - download an enrolment form and sign it using a digital pen and trackpad that provides a true representation of the elector's signature, before returning this to the AEC.
- 5.18 As noted earlier, electors updating their enrolment address may now do so using the AEC's online enrolment facility, subject to the provision of suitable evidence of identity details.

Planning accessible, convenient and efficient voting services

- 5.19 Whilst the AEC is obliged to provide 'efficient delivery of polling services' in line with the outcome for which it is funded²⁷ and the AEC

²⁵ To accurately verify enrolment a person must provide the surname, given names, street name, suburb or town and state or territory that appears on the electoral roll.

²⁶ Australia Post has previously provided an overview of its despatch arrangements in rural and remote locations to the JSCEM as relevant to JSCEM consideration of postal voting arrangements.

²⁷ The Department of Finance and Deregulation, Portfolio Budget Statements 2011-2012, 'The Australian Electoral Commission: Agency resource and planned performance', available at: http://www.finance.gov.au/publications/portfolio-budget-statements/11-12/docs/2011-12_AEC_PBS_01.pdf.

will always employ its best endeavours to enable equitable access to voting services, there will always be limits to what is possible or practicable to provide.

- 5.20 The ability of the AEC to accurately anticipate voting services required in remote areas is challenged by the increased mobility of the population generally, the increasingly broad geographic catchment from which FIFO/DIDO workers are sourced, and rapid growth or fluctuation of populations in some remote communities and the inability/difficulties in accessing information from one reliable source. Traditionally planning of voting services, is performed by divisional offices based on previous election experience and supplemented by knowledge of local developments and needs.
- 5.21 At the 2010 election, the provision of pre-poll and interstate voting proved challenging in some parts of Western Australia. Some challenges were outlined in the AEC's submission to the JSCEM's inquiry into the 2010 federal election.²⁸ Demand-based challenges can be attributed in large part to the large number of interstate travellers (mostly 'grey nomads') travelling in Western Australia during the election period. Even where pre-poll voting centres were in localities adjacent to mining operations, such as Karratha, Derby, Leinster, Newman and Tom Price, anecdotal reports suggest that although votes were issued to some mine workers, where there were significant increases in votes taken, this was attributable in large part to interstate tourists.
- 5.22 Other polling services that relate specifically to mining operations are under review as a result of low demand for the service provided.
- The static polling place at Argyle Mine received 73 ordinary votes and 103 declaration votes. Over the past three events there has been a steady decrease in the number of votes taken, which makes the long term viability of the polling place questionable. In addition, the mine site is actively pursuing a local employment focus, which will impact on the requirement for a static polling on site.
 - A pre-poll voting centre has been provided for the last two events in the town of Norseman to serve the DIDO operation of the Norseman Gold Mine. In the course of the week of operation leading up to the 2010 election only 22 votes were taken.
- 5.23 Pre-poll voting services at airports are also presently under review following the 2010 election. An increased focus on security and an increasingly competitive commercial environment led to challenges in both the placement and the cost of providing voting services at airports at the 2010 federal election. In addition, other factors requiring consideration are the increasing number of charter operators servicing

²⁸ AEC submission 87, pp. 100-101, available at:
<http://www.aph.gov.au/house/committee/em/elect10/subs/Sub087.pdf>.

the FIFO workforce, the dispersed and localised geographic catchment from which these workers are increasingly drawn²⁹ and the extent to which workers' roster arrangements enable access to other voting services.

- 5.24 A delicate balancing act is faced by each division in planning for an electoral event: underestimating demand for voting services (e.g. number of polling booths, demand and location of interstate voting services, number of staff required, number and type of ballot papers required) may inconvenience some electors and therefore exact a cost in terms of electors' trust of and support for the electoral process, whereas overestimating demand results in a financial cost to the AEC.
- 5.25 In some ways this balancing act is no greater or lesser than that faced by many other government agencies. However, given that a base measure of democratic electoral processes is that all persons qualified to vote are able to do so equally and without undue restriction, there is an acute obligation on the AEC to 'get things right'.

Voting from a mine site

- 5.26 Providing voting services directly to larger mining operations is challenged by the remoteness of sites and the willingness of management to facilitate voting onsite. Where mine management indicate a willingness to conduct voting onsite there are often a number of requirements of teams including strict guidelines around induction requirements, occupational health and safety briefings, and drug and alcohol testing before site entry is permitted. The detail of these requirements, when they are known, and the number of onsite workers may affect the practicality of providing onsite services.
- 5.27 For remote localities, where the postal service is not regarded as sufficient to meet electoral purposes, mobile polling is very important. Mobile polling is resource intensive, involves significant liaison with a large number of organisations (community groups and political parties), and involves significant coordination of logistics (including accommodation, staff, and transport). Polling schedules are often amended because of issues that arise from climate (e.g. flood, heat, storms), community need, or problems caused by geography or transport. For example, to maximise voter turnout in the Northern Territory the remote mobile polling schedule required over 40 amendments during the two week period, primarily due to schedule delays and cultural business. In examining the conduct of remote mobile polling at the 2007 federal election the Australian National Audit Office noted: '[o]ften significant effort is involved to enable a small

²⁹ For example, see 'Orange mining's new FIFO centre', *Australian Mining*, 1 August 2011, available at: <http://www.miningaustralia.com.au/news/orange-minings-new-fifo-centre>.

number of people to exercise their voting franchise, and the teams are obliged to adapt their schedule'.³⁰

- 5.28 Where mine management is unwilling to facilitate onsite voting, or for a variety of other reasons such as access requirements, onsite polling is impractical, the remoteness of the site and working patterns may effectively require the cooperation of the company (or companies) employing workers onsite to facilitate access to other voting options – such as postal voting, in order for workers to be able to cast a ballot. Anecdotal reports suggest that in instances where management actively facilitates the flow of postal voting materials, the chances of a worker being able to apply for, receive, and return their ballot material in the timeframes required are exponentially increased. Successful instances have involved mine management arranging for the bulk distribution and collection of postal vote applications and delivery to AEC offices, and then transport of postal vote packages (by company plane) to mine site, distribution to electors, collection and return to the AEC within the timeframes indicated in paragraphs 4.18 to 4.20 above.
- 5.29 However, cooperation and collaboration varies by company, by individuals within the management structure and by site. Further complexities are added where sites have a workforce comprised of a range of subcontracting companies. Some companies indicate to the AEC the view that it is their workers' responsibility to make their own arrangements to vote. Even where companies or site indicate a willingness to assist, this may be affected by the availability of aircraft and operational priorities.

Information

- 5.30 A significant barrier in developing a coherent approach in the delivery of electoral services to mine workers has been an ability to source relevant and appropriate information to inform the strategy.
- 5.31 The Australian Bureau of Agricultural and Resources Economics and Sciences bi-annual listing of major minerals and energy projects in development is a useful input to AEC planning, particularly where project data includes reference to employment.³¹ However, as this data generally provides no sense of the mix of the workforce (e.g.

³⁰ Australian National Audit Office, *The Australian Electoral Commission's Preparation for and Conduct of the 2007 Federal General Election*, Performance Audit Report No. 28 2009-10, 2010, p. 160.

³¹ For example, see Australian Bureau of Agricultural and Resources Economics and Sciences, *Minerals and energy: Major development projects – April 2011 listing*, available at: http://www.abare-brs.gov.au/publications_remote_content/publication_topics/minerals?sq_content_src=%2BdXJsPW0dHAIM0EIMkYIMkYxNDMuMTg4LjE3LjIwJTJGYW5yZGwIMkZEQUZGU2VydmliZSUyRmRpc3BsYXkucGhwJTNGZmlkJTNEcGVfYWJhcmVzOTkwMTA1NDRfMTFhLnhtbCZhbGw9MQ%3D%3D.

residential, FIFO, DIDO, or some mix of two or more of these options), and is accurate based on announcements at a point in time, the AEC has generally used a combination of local knowledge, local news and information obtained directly from companies, or industry councils to plan its election activities.

- 5.32 The AEC acknowledges that its general reliance on localised arrangements and planning may lead to some inconsistencies in service delivery. However, it has also been the AEC's experience that localised arrangements have enabled electoral services to be provided in a flexible and responsive manner, based on local needs and requirements, in accordance with the requirements of the Electoral Act.
- 5.33 The AEC is hopeful that the pilot program of Government-funded FIFO coordinators based in Cairns, and four other yet to be determined locations, may be able to provide useful and up to date information regarding the use and location of airline and airport services for FIFO workers.

Staffing

- 5.34 A significant challenge in relation to delivering services to mine workers is workforce capability and capacity. To prepare for and conduct the 2010 federal election the AEC employed some 67 000 temporary staff.
- 5.35 Significant efforts are aimed at ensuring FIFO workers have access to voting services at point of departure or transfer. For example at the 2010 federal election pre-poll voting at the major domestic terminals required extended hours of operation (e.g. 5am to 7pm) and pre-poll voting at some regional terminals required short, staggered shifts (e.g. 2 to 3 hours early in the morning, and another 2 to 3 hours in the mid-afternoon). Difficulties in attracting polling staff were encountered owing to extended hours, operation of shifts and the comparatively low level of remuneration.
- 5.36 To staff polling booths on election day the AEC often relies on appropriately skilled community minded locals; often these are long-serving polling officials who encourage like-minded community members or friends to join them. Recruitment of staff in remote mining localities can be a challenge - the variable nature of mining operations and associated industry often involve a relatively small labour force (which depending on the operation could be resident or non-resident), high workforce turnover, limited community infrastructure and limited community resources to call upon. In localities where mining is growing and there is a labour shortage, rates of remuneration for employment with the AEC are simply not competitive.
- 5.37 Once polling staff are found, delivery of face to face training may be challenged by the availability and cost of accommodation for training

staff. For the 2010 federal election, accommodation in and around some mining areas was significantly more expensive and difficult to find in comparison to previous elections. Anecdotal reports suggest this was in part the result of mining companies supplementing their mining accommodation camps by contracting rooms with motels.

6 Conclusion and options for improving the accessibility of electoral services for FIFO/DIDO electors

- 6.1 This submission has been provided to inform the work of the Committee with regard to the provision of electoral services to FIFO/DIDO electors in regional and remote Australia.
- 6.2 The AEC seeks to administer the legislative requirements of the Electoral Act so as to enable universal and equal access to electoral services, wherever it is possible and practicable to do so. Special arrangements, such as remote mobile polling teams, are established for those electors who are living or working in remote areas and would otherwise have difficulty in casting their vote. Electors whose permanent address is more than 20 kilometres from a polling place may register as general postal voters. Such arrangements, in addition to the establishment of pre-poll voting centres (including interstate voting centres) and static polling booths, operate so as to provide a range of convenient and accessible voting services to those who live or work in remote areas and to ameliorate the significant challenges posed by geography and reliability of services. A range of activities are also undertaken by the AEC to ensure that FIFO/DIDO electors have access to enrolment and voting information.
- 6.3 In considering options that may improve the accessibility of electoral services for FIFO/DIDO electors, legislative and budgetary considerations must be borne in mind. As noted previously, the manner and method by which enrolment and voting occurs is largely prescribed by the Electoral Act, and subject to overall budget limitations.
- 6.4 This submission has outlined a number of considerations relating to the provision of electoral services to FIFO/DIDO electors. Key considerations, along with options which may improve accessibility of electoral services, are summarised below under the following headings:
- legislation;
 - elector circumstances; and
 - other considerations.

Legislation

- 6.5 The requirements of the Electoral Act impose a number of restrictions on the way in which electors' access electoral services. These include:
- the close of rolls, seven days after the issue of the writ;
 - the requirement to complete and sign (by hand) enrolment forms for new enrolments or re-enrolments;
 - reliance on physical means to distribute postal vote ballot papers; and
 - the manner and form in which a vote may be cast.
- 6.6 A number of possible options relevant to the above have been discussed, proposed or are used in other jurisdictions. For example:
- eligible voters may enrol to vote or change their enrolment details up to the day before polling day for Queensland State elections;³²
 - enrolment at the time of voting has been recommended in two reports of the JSCEM,³³ and was available to certain electors at the 2010 Victorian State election and the 2011 New South Wales State election;
 - online enrolment processes have been discussed in the Government's second electoral reform green paper and two previous JSCEM reports;³⁴
 - electronic distribution of ballot materials has been used in:
 - New Zealand national elections, where certain electors may download ballot materials from website of the electoral commission;³⁵
 - Tasmanian State elections, where certain electors could receive ballot materials by email or fax;³⁶ and
 - electronic voting was available to certain electors in the 2011 New South Wales State election.³⁷

³² These arrangements were introduced by the *Electoral Reform and Accountability Amendment Act 2011* (Qld).

³³ *Inquiry into the implications of the Parliamentary Electorates and Election Amendment (Automatic Enrolment) Act 2009 (NSW) for the conduct of Commonwealth elections*, February 2010, pp. 18-23 and *The 2010 Federal Election: Report on the conduct of the election and related matters*, June 2011, pp. 29-37.

³⁴ Australian Government, *Electoral Reform Green Paper - Strengthening Australia's Democracy*, September 2009, pp. 98-100; *The 2004 Federal Election: Report of the Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto*, September 2005, pp. 248-249; and *Report on the conduct of the 2007 federal election and matters related thereto*, June 2009, pp. 102-113.

³⁵ Overseas electors who appear on the published electoral roll may download ballot papers from the website of the New Zealand Electoral Commission. See <http://www.elections.org.nz/voting/votingsub/how-vote-overseas.html>.

³⁶ Overseas electors could apply for an 'express' vote for the May 2011 Tasmanian State Legislative Council election, which could be received by email or fax. The Tasmanian Electoral Commission advised that the complete secrecy of the vote could not be guaranteed using this method. See <http://www.electoral.tas.gov.au/pages/LegislativeCouncil/LC2011/VotingEarly/LC2011OverseasVoting.html>.

Electronic voting

- 6.7 Use of electronic voting in Australia at Commonwealth and State and Territory elections has been limited to certain qualifying electors, such as those who: are blind or have low vision; have a motor skill impairment; do not speak English as a first language; have no or low English literacy; are defence force personnel; are early voters; live more than 20 kilometres from a polling place; and will be interstate or overseas on election day.³⁸
- 6.8 The Joint Standing Committee on Electoral Matters has considered the viability of electronic voting options on a number of occasions.³⁹ Its most recent examination of the issue supported access to electronic voting for two groups of electors who are not guaranteed access to a secret ballot – electors who are blind or have low vision and Antarctic electors.
- 6.9 The AEC notes that while the current Government has not indicated its view regarding any of the options outlined at paragraph 6.6 to date, it is currently considering recommendations of the JSCEM in respect of enrolment at the time of voting and enabling Antarctic electors to cast an electronically-assisted vote.

Elector circumstances

- 6.10 A number of variables may influence the ease with which electors might access electoral services. These include whether or not:
- an elector has maintained his or her enrolment;
 - an elector seeks access to enrolment and voting information at an early stage;
 - an elector's rostering or accommodation arrangements will enable them to access enrolment or voting information and facilities when required or when they desire; and
 - an elector's employer has actively facilitated access to enrolment and voting information and services.

³⁷ Details of the New South Wales (remote) electronic voting system, iVote, are accessible from the New South Wales Electoral Commission website:

<http://www.elections.nsw.gov.au/voting/ivote>.

³⁸ A useful overview of electronic voting is provided in Australian Government, *Electoral Reform Green Paper - Strengthening Australia's Democracy*, September 2009, pp. 169-172, available from:

http://www.dpmc.gov.au/consultation/elect_reform/strengthening_democracy/index.cfm.

³⁹ For example, see the following JSCEM reports: *The 2001 Federal Election: Report of the Inquiry into the conduct of the 2001 Federal Election, and matters related thereto*, pp. 262-268; *The 2004 Federal Election: Report of the Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto*, pp. 257-272; and *Report on the 2007 federal election electronic voting trials*; and *The 2010 Federal Election: Report on the conduct of the election and related matters*, pp. 67-75.

- 6.11 The AEC will continue to review the information and services provided to mine workers, as part of its general communications strategy. Extensive efforts will continue to be made to provide information and services to all eligible Australians, including those who work and live remote Australia. However, the responsibility to enrol and vote rests with those who are qualified and entitled to do so.
- 6.12 The AEC anticipates that changes to electoral arrangements outlined in Part 3 will improve the ability of electors living or residing in regional and remote Australia to access electoral services.
- 6.13 Following review of polling arrangements at the 2010 federal election and amendments to mobile polling provisions in the Electoral Act, the AEC has revised its mobile polling policy so that contact with management of large mining organisations within a state or territory is made by the State or Territory Manager. As the most senior electoral officer within each jurisdiction, the State or Territory Manager will be in a position to:
- provide advice regarding the AEC's broad range of electoral services, including provision of postal voting materials, pre-poll voting options available or, if practicable, the arrangements required for mobile polling to take place;
 - be cognisant of any broader communication strategies targeting mining sites;
 - facilitate consistent arrangements across multiple divisions within a state or territory for particular companies; and
 - where necessary, liaise with other State or Territory Managers to facilitate arrangements across jurisdictional boundaries.
- It is also anticipated that this will provide the AEC with greater access to up to date information and knowledge regarding local mining operations.

Other considerations

- 6.14 The nature of mining and FIFO/DIDO work practices are such that a number of features of the sector and the FIFO/DIDO workforce impact on planning of, access to, or the quality of electoral services:
- the locations at which FIFO/DIDO electors permanently reside and where they work, are both extremely localised and extremely dispersed;
 - aggregating relevant, appropriate and up to date information regarding mining and other operations, and their workforce is difficult;
 - different companies and/or different work sites may hold different views about facilitating, hosting, or promoting enrolment and voting information and services;
 - operations often have an impact on the cost and availability of accommodation and labour in nearby localities; and

- the remoteness of many operations requires: planning and deployment of voting services in a compressed timeframe; involved logistical arrangements; significant coordination of stakeholders and resources; and significant expense.
- 6.15 These features present some difficulties in looking for descriptive statements, evidence and possible solutions which are applicable to the FIFO/DIDO phenomenon.
- 6.16 The AEC's experience leads it to the view that resource companies can and do play a critical role in encouraging and facilitating the exercise of basic political rights like voting. An avenue, such as an award, that formally recognised resource companies who have played a crucial role in facilitating delivery of, or access to community activities or government services, may be a useful way to encourage closer collaboration between companies and government in regional and remote Australia.