

Senate Select Committee on Adopting Artificial Intelligence (AI)

RESPONSE TO QUESTION ON NOTICE Australian Electoral Commission

Subject: PC24-04 | Question on Notice - Social media advertising transparency
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Question

Senator DAVID POCOCK: My view is it doesn't meet community expectation. I'm really hope that the government will take this up and that the parliament will act before the next election. Finally, you mentioned the disinformation register. One of the things I have concerns about is the lack of transparency and searchability of advertising on Meta. Having spoken to someone like Frances Haugen, the Meta whistleblower, her view is that they should be forced to have a far more transparent and searchable library of ads. It's currently pretty hard to see what's being served, how much has been put behind it and what its reach is. Would you support moves to ensure that social media platforms have a transparent, searchable library, with the ad spend behind them, across the board? Would that make your job easier in any way?

Mr Rogers: I note that, if you're talking about legislation to make them do that, that would be a matter for parliament. But, frankly, anything that provides additional transparency has got to be a good thing. We're speaking to Meta later this week. I can also ask them those questions and come back to you, Senator, if you'd like.

Senator DAVID POCOCK: That would be great. Thank you.

Response

Legislation requiring social media to improve the transparency and searchability of their ad libraries is a matter for parliament. The AEC notes however that increased transparency of electoral communication, including paid for advertisements on social media platforms, will offer benefits to the AEC. These ad libraries are one tool to assist in monitoring certain provisions under the *Commonwealth Electoral Act 1918*.

The AEC regularly meets with social media platforms to discuss electoral integrity measures, and platforms often note their ad libraries as part of these discussions. When the AEC met with representatives from Meta on 30 May 2024 the Australian Electoral Commissioner, Mr Tom Rogers, asked for an update on current transparency measures in relation to Meta's ad library. In response Ms Mia Garlick, Regional Director of Policy for Australia, Japan, Korea, NZ & Pacific, cited the platform's recent AI ad disclosure policy and enforcement policy as developments in this area. Ms Garlick said both policies were publicly available.

Background

Social media ad libraries are a tool to assist in monitoring certain provisions under the *Commonwealth Electoral Act 1918* including compliance with authorisation requirements and the Commonwealth funding and disclosure scheme.

Current transparency measures for ad libraries are outlined in Objective 5 of the voluntary *Australian Code of Practice on Disinformation and Misinformation* (the Code). The objective requires signatories to improve public awareness of the source of political advertising. The Australian Communications and Media Authority (ACMA) was tasked with overseeing the development of this code and reporting on platforms' measures.

Meta's AI Ad Disclosure Policy

<https://www.facebook.com/government-nonprofits/blog/political-ads-ai-disclosure-policy>

Advertisers will have to disclose whenever a social issue, electoral or political ad contains a photorealistic image or video, or realistic sounding audio, that was digitally created or altered to:

- *Depict a real person as saying or doing something that they did not say or do; or*
- *Depict a realistic-looking person that does not exist or a realistic-looking event that did not happen, or alter footage of a real event that happened; or*
- *Depict a realistic event that allegedly occurred, but that is not a true image, video or audio recording of the event.*

Advertisers running these ads do not need to disclose when content is digitally created or altered in ways that are inconsequential or immaterial to the claim, assertion or issue raised in the ad. This may include image size adjusting, cropping an image, colour correction or image sharpening, unless such changes are consequential or material to the claim, assertion or issue raised in the ad.

Meta will add information on the ad when an advertiser discloses in the advertising flow that the content is digitally created or altered. This information will also appear in the Ad Library. If we determine that an advertiser doesn't disclose as required, we will reject the ad and repeated failure to disclose may result in penalties against the advertiser. We will share additional details about the specific process advertisers will go through during the ad creation process.