



# Executive summary

## Chapter 1 – Introduction

Chapter 1 provides background information on the 1998 federal election and outlines the scope and conduct of the inquiry and the structure of the report.

## Chapter 2 – Pre-election

Issues relating to the period before election day are covered in this chapter. These include: AEC staffing; public awareness of the election; enrolment; nomination; political campaigning; declaration voting; and mobile polling.

Between the 1996 and 1998 federal elections, continuous roll updating and an address based roll management system were introduced by the Australian Electoral Commission (AEC) to improve the accuracy of the Commonwealth Electoral Roll. In order to continue the process of improving the accuracy of the Roll, the Committee recommends a change to the close of rolls for an election to the day of the issuing of the writs for new electors, and for those already enrolled, the third day after the issue of writs. In addition, the Committee recommends amendments to the *Commonwealth Electoral Act 1918* to base enrolment on address and to amend the process of re enrolment for voters who have been removed from the Commonwealth Electoral Roll on the basis that they no longer live at their enrolled address. These changes will enhance the utility of the address based roll management system.

The Committee is interested in providing the public with access to the most up to date version of the Commonwealth Electoral Roll while still preserving the security of the Roll. As such, the Committee recommends that the Roll be made available over the internet and on CD-Rom.

The death of the Australian Democrats' candidate for the Division of Newcastle before the 1998 federal election highlighted a number of deficiencies in those sections of the *Commonwealth Electoral Act 1918* dealing with the death or withdrawal of a candidate prior to the declaration of nominations. As a result, the Committee recommends an amendment to allow the substitution of a candidate in a bulk nomination who withdraws or dies up to the close of nominations.

The authorisation requirements for second preference How To Vote cards has been a matter of concern in previous election inquiries. The Committee recommends an improvement in the authorisation requirements for all How To Vote cards to ensure that voters are informed as to the origin of How To Vote cards. The Committee also recommends that the definition of authorisation for political advertising purposes be specified in the *Commonwealth Electoral Act 1918*.

The numbers of declaration votes (postal, pre-poll, absent and provisional votes) cast during federal elections has increased from 12.74% of votes in the 1993 to 17.90% of votes in the 1998 federal election. The Committee recommends that the AEC undertake an investigation to determine the reasons for the changing pattern in declaration voting. In addition, the Committee recommends that, when completing the declaration certificate, voters be requested to tick off the reasons why they require a pre-poll and postal vote.

The Committee recommends a series of improvements to the processing of postal vote application forms to overcome the potential for multiple voting and to ensure that when a reply paid envelope addressed to a political party is provided with a postal vote application, it is clear to the applicant that the form will be returned to a political party.

The Committee also investigates the administration of remote mobile polling by the AEC following a range of complaints about the administration of remote mobile polling in the Northern Territory and in the Divisions of Grey in South Australia. As a result of this investigation, the Committee recommends that the AEC review its mobile polling arrangements and training to ensure good management of mobile polls.

## **Chapter 3 – Election day**

The issues arising from the events of election day are discussed in this chapter. Matters addressed include: the administration of polling booths; assisted and provisional voting; and fraudulent enrolment and voting.

The administration of the 7,775 polling booths by the AEC was generally very good. However, the Committee does investigate the planning and administration of one polling booth in Alice Springs. The Committee also addresses a number of other concerns about other polling booths.

Up to 90% of votes in some Northern Territory polling booths are assisted. In order to reduce this level of assisted voting, the Committee recommends that the AEC report to the Committee on an integrated educational and enrolment service for Aboriginal and Torres Strait Islanders before the next federal election.

The administration of provisional voting has become increasingly complex and inefficient to the extent of reducing the integrity of the Commonwealth Electoral Roll. The Committee recommends a series of amendments to improve the provisional voting process.

The Committee has not detected any evidence of widespread or organised electoral fraud during the 1998 federal election. However, the Committee is very concerned that the majority of suspected cases of multiple voting are not investigated by the Australian Federal Police.

The Committee also recommends the AEC review its procedures for updating the Commonwealth Electoral Roll following notification of the death of an elector.

## **Chapter 4 – After the close of polls**

Chapter 4 discusses the process of the count and alternative voting systems to the current electoral system.

A significant number of submissions to the inquiry express support for an optional preferential voting system. It is clear to the Committee from these submissions that a substantial number of voters misunderstand the full preferential voting system. The Committee recommends the AEC conduct targeted public education campaigns to explain the full preferential voting system in order to remedy this misunderstanding.

The Committee also discusses a number of alternative voting systems suggested in submissions. These include: the first past the post system; the primary vote quota

system for the Senate; the random/rotation system; the weighted preferential system and electronic voting.

## **Chapter 5 – Other issues**

A number of election related issues are discussed in chapter 5. These include: political party funding and disclosure; registration of political parties; section 44 of the Constitution; electoral litigation; redistributions; four year terms; the Australian National Audit Office audit of the AEC; and the process of election review.

The Committee recommends a streamlining of the financial disclosure requirements, including: an increase in the minimum donation from an individual or organisation to a political party in a financial year requiring disclosure by the political party to \$3,000; and an increase in the minimum donation from an individual or organisation to a political party in a financial year requiring disclosure by the donor to \$3,000. The Committee also recommends that the AEC investigate the feasibility of political parties lodging financial returns in an electronic form.

The Committee wishes to ensure that new political parties seeking registration are in fact legitimate political parties. To this end, the Committee recommends a series of improvements in the regulation of registered political parties, including: creating a definition of a member of a political party for the purposes of registration; increasing the fee for registration of a political party to cover the costs of registration; and empowering the AEC to conduct regular reviews of the eligibility of political parties to remain registered.

Constitutional limitations on candidate nomination resulted in the Court of Disputed Returns ruling that a Queensland Senator-Elect was not capable of being elected because of the application of section 44(i) of the Constitution. In order to overcome the difficulties presented by section 44(i), the Committee recommends that a referendum be held to amend the Constitution so that the act of nomination for the House of Representatives or Senate be recognised as immediately extinguishing any allegiance to a foreign power. The Committee also discusses a number of other Court of Disputed Returns cases that resulted from the 1998 federal election.

The Committee supports the introduction of four year terms for the parliament, recommending an amendment to the Constitution so that the parliamentary term for members of the House of Representatives is increased to four years.

This chapter concludes with a discussion about issues surrounding election litigation, redistributions, the process of election review and an Australian National Audit Office performance audit of the AEC.