

Submission to the Inquiry by the Joint Standing Committee on Electoral Matters into the Electoral and Referendum Amendment (Improving Electoral Procedure) Bill 2012

13 July 2012



AEC

Australian Electoral Commission

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Introduction

- 1.1 On 28 June 2012 the House of Representatives Selection Committee referred the Electoral and Referendum Amendment (Improving Electoral Procedure) Bill 2012 (the Bill) to the Joint Standing Committee on Electoral Matters (JSCEM) for inquiry and report. The stated 'reasons for referral/principal issues for consideration' were that, 'the bill and explanatory memorandum are particularly ambiguous when it comes to what specific changes are being made to the process about postal vote applications and it is necessary for the committee to investigate the full extent that these changes will have on the current practice'.
- 1.2 In a letter dated 29 June 2012, the Chair of the JSCEM, Mr Daryl Melham MP invited the Australian Electoral Commission (AEC) to make a submission to the inquiry. This submission is provided in response to that letter.
- 1.3 Accordingly, this submission discusses the changes proposed by the Bill in general terms, with particular attention paid to the proposed changes to postal voting provisions. For ease of reference, the submission has been structured under headings that align with the three schedules of the Bill:
 - Postal voting
 - Nominations for election
 - Other amendments.

Scope of the Bill and this submission

- 1.4 The Bill implements only the Government response to recommendations 12, 31 and 32 made by the JSCEM in its report entitled, *The 2010 Federal Election: Report on the conduct of the election and related matters* (the Report). The specific recommendations are as follows:
 - Recommendation 12 – 'The Committee recommends that the *Commonwealth Electoral Act 1918* and the *Referendum (Machinery Provisions) Act 1984* be amended to specifically allow for the automated issuing of postal votes by the Australian Electoral Commission.'
 - Recommendation 31 – 'The Committee recommends that subsection 170(3) of the *Commonwealth Electoral Act 1918* be amended to increase the sum to be deposited by or on behalf of a person nominated as a Senator to \$2,000.'
 - Recommendation 32 – 'The Committee recommends that subsection 170(3) the *Commonwealth Electoral Act 1918* be amended to increase the sum to be deposited by or on behalf of a person nominated as a Member of the House of Representatives to \$1,000.'

- 1.5 The Bill also makes a number of technical and minor amendments.
- 1.6 The Bill proposes changes to arrangements in the *Commonwealth Electoral Act 1918* (the Electoral Act) and complementary amendments to the *Referendum (Machinery Provisions) Act 1984* (the Referendum Act).

Postal voting

2.1 Existing arrangements and key elements of the proposed amendments are discussed below under the following headings:

- Relevant current arrangements
 - Evolution of the postal voting process
- Changes proposed by the Bill
 - Substitution of ‘person’ for ‘elector’
 - Broadening of the powers and functions which may be delegated by the Electoral Commissioner
 - Provide for technological developments
 - Improvements to clarity and readability
 - Change to General Postal Voter registration criteria
 - Postal votes received before close of polls.

Relevant current arrangements

2.2 Postal voting is one of two ‘early voting’ methods available to an elector who cannot attend a polling place on polling day to cast a vote in accordance with his or her obligations under the Electoral Act.¹ Postal votes can be cast by those who:

- have completed a PVA following the announcement of an election or the issue of writs (whichever is earlier) to receive a postal vote for a specific election, or
- have registered (at any time) as a general postal voter (GPV) to receive a postal vote automatically, for every election.

In each case, an elector must have grounds for making the application.

2.3 The grounds for applying for a postal vote are outlined at section 183 and Schedule 2 of the Electoral Act, and are reproduced at **Attachment 1**. An application must be in writing in the approved form and must contain a declaration by the applicant that he or she is an elector entitled to apply for a postal vote. Applications made in Australia must be made to a Divisional Returning Officer

¹ The other voting method is pre-poll voting.

- (DRO); applications made outside Australia must be made to a DRO or an Assistant Returning Officer (ARO).
- 2.4 The grounds for applying for registration as a GPV are outlined at subsection 184A(2) of the Electoral Act, and are similar to those on which a person can apply to become a postal voter for a specific election. The grounds are reproduced at **Attachment 2**. Applications for registration are made to the Electoral Commissioner.
- 2.5 The register of GPVs is available for public inspection at the office of the appropriate DRO at any time during normal business hours. Applications for postal votes for a division at a specific election may be viewed, or an electronic list of applicants may be requested, by relevant candidates and political parties, during the period commencing three days after polling day until the election can no longer be questioned (in general, forty days after the return of the (last) writ which is the deadline for the lodgement of petitions with the Court of Disputed Returns).
- 2.6 Production and delivery of postal voting packages (PVPs)² to voters commences once ballot papers become available following the declaration of nominations. PVPs are sent to voters who have successfully completed a hard-copy PVA (information from which is data-entered into the Automated Postal Vote Issuing System, known as APVIS) or who have registered as a GPV. At the 2010 election, as for the 2007 election, the AEC utilised three PVP production methods: central print, local print and hybrid print as follows:
- Central print involves the centralised automated production and dispatch of PVPs on behalf of the AEC by a contracted provider.
 - Local print is the process where a PVP is produced by the divisional office which received the PVA.
 - Hybrid print is the process where a PVA is input in one division and the PVP is produced in a different division which is determined by the delivery address postcode.
- 2.7 APVIS determines the appropriate production method based on Australia Post mail delivery data for postcodes with limited mail delivery and the proximity to polling day. This is aimed at maximising the chance that the voter will receive their ballot papers in time to complete and post them back to the AEC before polling day.

² A PVP consists of postal ballot papers, a postal vote certificate (PVC) envelope and information on how to complete a postal vote.

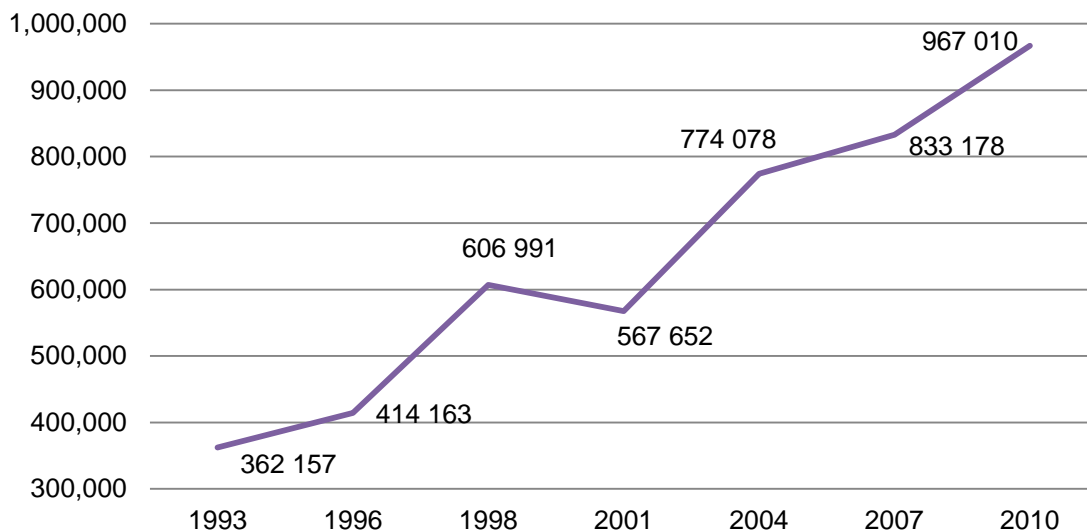
- 2.8 Central print is the most common method of producing and distributing PVPs, accounting for 891 125 (93 per cent) of the 957 322 PVPs issued within Australia at the 2010 federal election. A diagrammatic representation of the PVA and PVP production process that will apply for the next federal election under current arrangements is outlined at **Attachment 3**. The diagrammatic representation includes one new mechanism not available at previous elections – an online PVA; otherwise the process depicted represents that used at the 2010 election. In 2010, the Electoral Act was amended by the *Electoral and Referendum Amendment (Modernisation and Other Measures) Act 2010* to enable a person to apply for a postal vote electronically by removing the requirement for an application for a postal vote to be signed and witnessed by an authorised person.

Evolution of the postal voting process

- 2.9 Postal voting processes have been reviewed in detail during the JSCEM inquiries on the 2004, 2007 and 2010 federal elections.³
- 2.10 The growth in postal voting over time is marked and evidence suggests that this growth will continue. Figure 2.1 shows the number of postal votes issued at the last seven federal elections increasing from 362 157 postal votes issued in 1993, to 967 010 in 2010. In response to this growth the AEC has had to introduce greater efficiencies in postal vote processing.

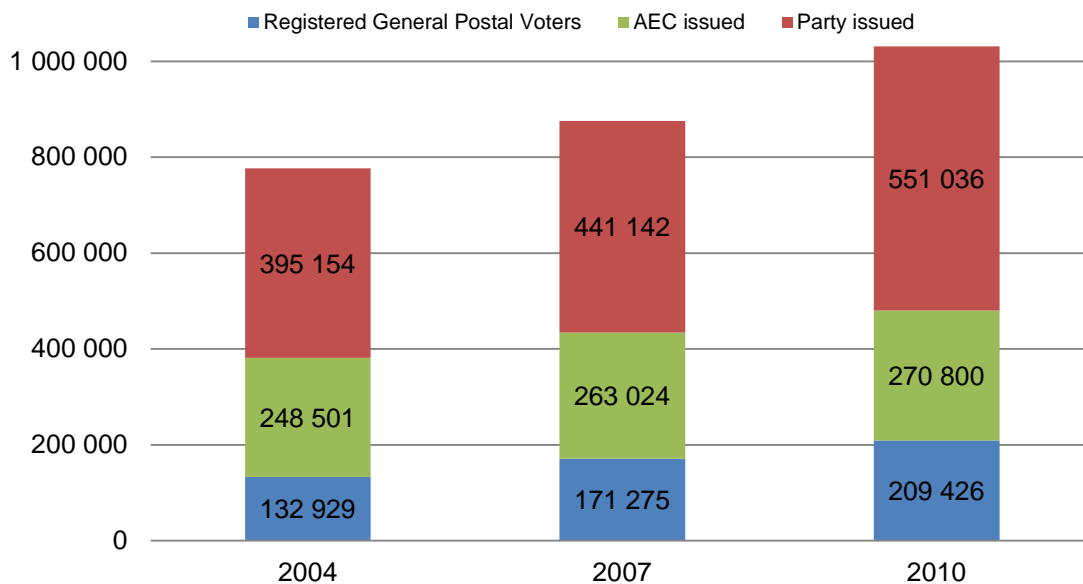
³ See, for example: JSCEM, *The 2004 Federal Election: Report of the Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto*, September 2005, pp. 48–79; JSCEM, *Report on the conduct of the 2007 federal election and matters related thereto*, June 2009, pp. 67–80, 178–80, 183–91, 195–8, 209–17; JSCEM, *The 2010 Federal Election: Report on the conduct of the election and related matters*, June 2011, pp. 54–63.

Figure 2.1 – Postal votes issued, 1993 to 2010.



2.11 A significant implication of the continued increase in postal voting since the introduction of APVIS has been the manual data entry of PVAs required to be completed by AEC staff in the pre-polling day period. Figure 2.2 demonstrates that in 2010, the AEC manually entered over 800,000 PVAs into the system during the election period; one-third of which were AEC issued, with the other two-thirds generated by the political parties.

Figure 2.2 – Postal vote applications and registered general postal voters, 2004 to 2010.



- 2.12 Since its implementation in 1999, APVIS has been gradually enhanced to improve its efficiency particularly in relation to reducing the elapsed time between the AEC receiving the PVA and the receipt of ballot papers by the voter. Accordingly, it is now appropriate that postal voting provisions be recast to support a more modern, efficient and effective service to voters, while still retaining the key integrity features – such as the requirement to match returned postal votes to an application, initialling of ballot papers by an authorised person and the preliminary scrutiny provisions.
- 2.13 A high level description of APVIS is at **Attachment 4**.

Changes proposed by the Bill

- 2.14 Except where noted below, proposed amendments to postal voting arrangements are provided for in Schedule 1 of the Bill.

Substitution of ‘person’ for ‘elector’

- 2.15 The first element of the amendments proposed by the Bill is to change ‘elector’ to ‘person’ throughout relevant sections of the Electoral Act and Referendum Act. The current arrangements provide that an ‘elector’ may apply for a postal vote. An ‘elector’ is defined as ‘any person whose name appears on the Roll as an elector’. The grounds upon which a person may base an application for a postal vote are unchanged. The only amendment made to the grounds contained in Schedule 2 of the Electoral Act and Schedule 3 of the Referendum Act is the substitution of the word ‘person’ for ‘elector’.
- 2.16 The amendments will have the effect of regularising the current practice (which applies for most types of declaration votes) where PVPs are issued to all applicants without regard to their enrolment status, with the entitlement checks occurring at the preliminary scrutiny. The checking of entitlement at preliminary scrutiny also occurs for other declaration vote types, including pre-poll declaration votes, absent votes and provisional votes. The proposed amendments will ensure that provisional voters, for example, provisionally enrolled new citizens whose names will not be on the certified list for the election, can receive ballot papers in response to a PVA.
- 2.17 However, the amendments will not mean that the completed ballot papers of all applicants will be counted. Following the preliminary scrutiny of all envelopes, the

AEC will only admit to the count ballot papers of people found to be enrolled or entitled to be on the roll⁴ for that election.

Broadening of the powers and functions which may be delegated by the Electoral Commissioner

- 2.18 This amendment proposes to provide the Electoral Commissioner with an increased power of delegation to delegate tasks to an officer or any member of staff. This is similar to the arrangements established in 2010 for enrolment functions by the *Electoral and Referendum Amendment (Pre-poll Voting and Other Measures) Act 2010* reflecting the modern drafting approach where ultimate responsibility rests with the Chief Executive Officer and functions and powers are delegated as appropriate. The outcome of this will be that the Electoral Commissioner will now be able to delegate most of his or her functions and powers under the Electoral Act and Referendum Act other than those relating to redistributions.
- 2.19 An example of this is the amendments that substitute 'Electoral Commissioner' for 'DRO' as the officer responsible for the receipt and processing of PVAs. Amendments such as these will generally have the effect of simplifying and providing efficiencies in the administration of postal voting by facilitating centralised receipt and processing of PVAs.

Provide for technological developments

- 2.20 As noted at paragraphs 2.2 to 2.8 above, most of the current postal vote provisions reflect the times when hard-copy applications were made to a DRO who then processed the application and dispatched the PVP either manually or, more recently, via APVIS. The vast majority of PVAs are currently dealt with via APVIS. Further, at the next election APVIS will also deal with all online applications for postal votes. The proposed amendments will reflect the reality of the process by facilitating the timely processing of online applications through the use of APVIS. The amendments also reflect the fact that an increasing number of Australians wish to interact with government electronically, rather than attending government offices and completing paper forms.

⁴ The existing law provides that where people have been removed from the electoral roll due to error or mistake of fact, his or her vote can be admitted to further scrutiny after the AEC has verified the entitlement to enrolment and voting. However, being removed from the roll through objection action does not currently constitute an error or mistake of fact. This latter aspect will be amended by the *Electoral and Referendum Amendment (Protecting Elector Participation) Act 2012* – which was passed by the Parliament on 21 June 2012 – following Royal Assent.

- 2.21 The Bill includes amendments which reflect developments in technology. For example, the Bill proposes to allow a list of postal vote applicants to be displayed in electronic form, which means that it could possibly be made available on the public access terminal in a divisional office rather than making the PVAs themselves available for inspection during the relevant period. Consistent with existing arrangements supporting the availability of electoral roll information on public access terminals in divisional offices, amendments provide that the list may not be copied or recorded by electronic means by members of the public.

Improvements to clarity and readability

- 2.22 Other amendments improve clarity and readability of postal voting provisions. In one respect, this is reflected in amendments which remove prescription relating to particular application and production processes to more explicitly reflect existing processes. An example of an amendment which generally improves readability is Item 11 of Schedule 1 of the Bill. Item 11 replaces subsection 186(1) and allows the Electoral Commissioner to facilitate sending postal voting papers. The current subsection 186(1) also describes issuing ballot papers for a 'Senate election or a House of Representatives election, or both, as the case may be'. This phrase has been replaced by 'election for a Division'. The proposed subsection 4(7A) will provide that a reference to an election for a division includes a reference to an election for the Senate. Hence the amended subsection 186(1) only refers to elections for a division. This makes the amended provision shorter and clearer.
- 2.23 Finally, two changes to postal vote arrangements are proposed in Schedule 3 of the Bill, which have arisen following further consideration of the amendments to the Electoral Act made in 2010.

Change to General Postal Voter registration criteria – item 36 of Schedule 3

- 2.24 One of the grounds for registration as a general postal voter (GPV) is that the applicant's real place of living is more than 20 kilometres from a place where mobile polling will be conducted (subparagraph 184A(2)(a)(ii) of the Electoral Act refers). The *Electoral and Referendum Amendment (Modernisation and Other Measures) Act 2010* amended section 227 of the Electoral Act to provide much greater flexibility in delivering mobile polling services. Unlike polling places which are appointed under section 80 of the Electoral Act on an 'on-going' basis, the places where mobile polling teams will now visit are not determined until the writs for an election are issued.
- 2.25 Prior to the 2010 amendments to the mobile polling provisions, there was low risk that a mobile polling team came within 20 kilometres of a GPV as mobile polling

was primarily conducted in remote divisions. However, there is now a much higher chance that someone who might be a registered GPV will actually live within 20 kilometres of a place where mobile polling will be conducted. The proposed amendments will repeal the relevant provision (subparagraph 184A(2)(a)(ii)) so that residing within 20 kilometres of a place where mobile polling will be conducted will no longer be a ground under which an application for registration as a GPV could be rejected.

Postal votes received before close of polls – items 40 and 46 of Schedule 3

- 2.26 Following receipt by the AEC, completed postal votes are subject to preliminary scrutiny. The requirements for the conduct of a preliminary scrutiny are set out in Schedule 3 of the Electoral Act. Ballot papers in postal vote envelopes which fail to meet the requirements of Schedule 3 are not included in the count.
- 2.27 The *Electoral and Referendum Amendment (Modernisation and Other Measures) Act 2010* amended Schedule 3 of the Electoral Act to allow the date of the witness signature on a postal vote certificate (PVC) to be the determining date for validity of postal votes. This has replaced the use of a postmark as a determinant, which was found by the JSCEM inquiry into the 2007 federal election to be problematic because of Australia Post administrative arrangements.⁵
- 2.28 At the 2010 federal election, however, there were some instances where a PVC was received before polling day but the witness date was obviously incorrect, for example the date given was year into the future. This amendment would have the effect that at the next election, if a witness dated the PVC envelope one year into the future, then the envelope would not have to be excluded. It is difficult to ascertain the number of postal votes that this might affect. PVCs that were rejected at the 2010 election due to an obviously incorrect date, despite being received before the close of polls, constitute a subset of the 14 368 PVCs that were rejected on the basis of an elector 'voting late'.
- 2.29 The amendments seek to correct this anomaly by proposing that if a PVC is received before the close of poll and is endorsed to that effect under paragraph 195A(2)(c) of the Electoral Act or paragraph 67(2)(c) of the Referendum Act, it is admitted to scrutiny in situations where the witness date required by paragraph 194(1)(c) of the Electoral Act or paragraph 65(1)(c) of the Referendum Act is obviously wrong.

⁵ A summary of the relevant unanimous JSCEM recommendation can be found at pages xxvi and xxvii of its *Report on the conduct of the 2007 federal election and matters related thereto*, op. cit..

- 2.30 The amendments make changes consistent with the above policy to postal votes cast outside of Australia for an election or referendum where the voter has complied with the requirements of subsection 194(1A) because they could not find an authorised witness. In this case, where the postal vote is received before the close of poll and endorsed to that effect, it is admitted to scrutiny in situations where the date given by the postal voter on the PVC is obviously wrong.

Nominations for election

Relevant current arrangements

- 3.1 An overview of candidate nomination requirements was provided at paragraphs 8.10 to 8.15 of the Government's, *Electoral Reform Green Paper—Strengthening Australia's Democracy*, released in September 2009, relevant extracts of which follow below.

8.10 Candidate nominations are governed by Part XIV of the Electoral Act. A person who has reached the age of 18 years, is an Australian citizen, and is either 'an elector entitled to vote at a House of Representatives election' or eligible to become such an elector, is qualified to be elected to the Commonwealth Parliament.

8.11 Section 44 of the Constitution sets out particular persons who are disqualified from being chosen or sitting as a member or Senator [...].

8.12 Nominations close at 12 noon on a date fixed by the writs for an election, which must be between 10 and 27 days after issue of the writs. A candidate must be nominated by 50 persons entitled to vote at the election, or by the registered officer of a registered political party that has endorsed the candidate. A person who is a sitting independent may be nominated by a single signature from a person (other than the candidate) entitled to vote in the election. A registered officer of a political party may make a bulk nomination of all its endorsed House of Representatives candidates for a particular state or territory, to the Australian Electoral Officer (AEO) for the state or territory, at one time. Nominations (other than bulk nominations) must be made to the Divisional Returning Officer (DRO) for the division for which the election is to be held. Nominations of candidates for election to the Senate must be made to the AEO. Candidates must nominate using the name under which they are enrolled, or entitled to be enrolled.

8.13 There is a nomination deposit per candidate of \$500 for the House of Representatives and \$1,000 for the Senate. Deposits are refunded if the candidate is elected, if the candidate gains 4% or more of the formal first

preference vote, or if he or she is in a Senate group which polls at least 4% of the vote.

8.14 Nominations are declared, and random draws for positions on the ballot papers are held, 24 hours after the close of nominations. Nominations are publicly disclosed before the conduct of the draw. No one can nominate for more than one election to be held on the same day.

8.15 The AEC will only reject a nomination if the relevant procedural requirements for nominating have not been satisfied. Questions about whether a candidate satisfies the legal qualifications for election must be raised in the Court of Disputed Returns [...].

- 3.2 From time to time the nominations requirements have been revised to address issues arising from increasing numbers of candidates contesting election. At the 2009 Bradfield by-election there were 22 candidates, nine of whom were endorsed by one political party. Of particular concern was that the informal vote for the by-election was nine per cent, more than double the informality rate for the division at the 2007 federal election. In response, the Government introduced the Electoral and Referendum Amendment (Pre-poll Voting and Other Measures) Bill 2010, which contained provisions seeking to restrict to one the number of candidates that could be endorsed by a political party for election to any one House of Representatives division, noting that '[l]egislative amendment is required to prevent a similar rise in the informality rate in multiple divisions at the next federal election.'⁶ The Bill was subsequently passed, and the Electoral Act amended accordingly. This issue demonstrated that ongoing review of the balance between the rights of candidates to nominate and the right of voters to be presented with a less complex ballot paper is appropriate.

Changes proposed by the Bill

- 3.3 Except where noted below, proposed amendments to candidate nomination arrangements are provided for in Schedule 2 of the Bill.

Increase in deposit requirements and the number of nominators required

- 3.4 The proposed amendments would increase the nomination deposit paid by a candidate for the Senate from \$1 000 to \$2 000, and increase the deposit paid by

⁶ The Hon G Gray MP (Special Minister of State), 'Second reading speech: Electoral and Referendum Amendment (Pre-poll Voting and Other Measures) Bill 2010', House of Representatives, *Debates*, 2 June 2010, p. 4911. Available at http://parlinfo.aph.gov.au/parlInfo/download/chamber/hansardr/2010-06-02/toc_pdf/7683-3.pdf;fileType=application%2Fpdf#search=%22chamber/hansardr/2010-06-02/0037%22.

- a candidate for the House of Representatives from \$500 to \$1 000 (candidate nomination deposit amounts were last increased in 2006.)
- 3.5 The Bill also proposes a further amendment in relation to the nomination process. The Bill will increase the number of nominators required by an unendorsed candidate from 50 to 100 electors. This amendment will affect how individual unendorsed candidates nominate, as well as the nomination of unendorsed candidates who have made a request to be grouped for the Senate.
- 3.6 For example, currently six Senate candidates who have made a request to be grouped must be nominated by at least 50 electors. Form CB (set out in Schedule 1 of the Electoral Act) allows the same 50 electors to nominate all six candidates. As the amendments will require that each unendorsed candidate must be nominated by 100 electors, Form CB will be repealed and each candidate in the group will be required to complete Form C (of Schedule 1 of the Electoral Act) as an individual candidate nominated by 100 electors. Therefore, a group with six unendorsed candidates will be required to be nominated by 600 unique electors. A request to be grouped must be made on a separate form.
- 3.7 The Bill does not change the law relating to endorsed candidates.
- 3.8 The proportionality of the proposed amendments, as relevant to increases over time in the value of money and the eligible voting population is relatively simple to assess. Relevant historical provisions contained in the *Commonwealth Electoral Act 1902*, as at 1905, and current considerations are as follows.
- A person being nominated for election as a Senator or a Member of the House of Representatives (or some person on their behalf) was required to deposit with the Commonwealth Electoral Officer or DRO at the time of delivering the nomination paper, the sum of £25. Adjusted to take into account inflation (of retail prices), the estimated current value of this sum is over \$3 000.⁷
 - Nomination forms were required to be signed by not less than six persons entitled to vote at the election. At the 1906 federal election, and in the context of a voluntary enrolment, there were some 2 million electors; at the 2010 federal election, there were some 14 million electors. The number of electors has increased seven-fold over this period.

⁷ This estimation is based on the 'Pre-Decimal Inflation Calculator' provided on the website of the Reserve Bank of Australia, at <http://www.rba.gov.au/calculator/annualPreDecimal.html>. The results produced by the Inflation Calculator are intended as guides only and should not be regarded as 'official' Reserve Bank calculations.

- 3.9 Proportionality in requirements should not, however, be the primary consideration. The Explanatory Memorandum to the Bill notes that the changes seek to ‘strike the right balance between providing the opportunity for all citizens to take part in elections while at the same time putting in place some reasonable thresholds that candidates must meet’.
- 3.10 As noted in the Explanatory Memorandum, at the Senate election in New South Wales in 2010, exactly half of the 84 Senate candidates received fewer than 200 first preferences votes. This is not an anomaly: at the Senate election in New South Wales in 2007, 46 of the 79 candidates received less than 200 first preference votes. This suggests that tightening Senate nomination requirements would not seriously compromise the ability of candidates who enjoy a modest level of support in the community to stand for election.
- 3.11 Amendments to nomination requirements since 1993 have not resulted in a permanent decrease in the number of candidates contesting election. The table below demonstrates that, with the exception of the 2010 federal election, the number of candidates contesting House of Representatives elections has trended upwards since 1993.

Table 3.1 – Candidates and vacancies, House of Representatives elections, 1993 to 2010.

Election	Candidates	Vacancies	Candidates per vacancy
1993	943	147	6.41
1996	908	148	6.14
1998	1 109	148	7.49
2001	1 039	150	6.93
2004	1 091	150	7.27
2007	1 054	150	7.03
2010	849	150	5.66

- 3.12 The number of candidates contesting election to the Senate has risen more markedly over this period, with the number of candidates per vacancy rising from just under seven in 1993, to just under nine at the 2010 election. A particularly significant dimension of Senate candidature has been the increase in the number of groups (endorsed and unendorsed) contesting Senate elections, which has risen from a total of 82 groups in 1993 to 136 in 2010. The experience of New South Wales Senate elections from 1993 to 2010, as shown in Table 3.2 broadly

reflects this trend, demonstrating an increase in candidates per vacancy and a marked increase in the number of groups contesting election.

Table 3.2 – Candidates and groups standing for election to NSW Senate, 1993 to 2010.

Election	Vacancies	Candidates	Candidates per vacancy	Groups	Ungrouped
1993	6	66	11.0	21	8
1996	6	63	10.5	18	9
1998	6	69	11.5	22	9
2001	6	65	10.8	23	4
2004	6	78	13.0	29	4
2007	6	79	13.2	25	4
2010	6	84	14.0	32	5

- 3.13 As has been noted in the Explanatory Memorandum, the increasingly large number of groups contesting Senate elections poses problems in the printing and production of the ballot paper, and in the complexity in casting a formal below-the-line vote.
- 3.14 The AEC discussed the difficulties associated with the printing and production of ballot papers at pages 20 to 23 of submission 87.5 to the JSCEM inquiry into the 2010 federal election. A sample of the New South Wales and Victoria 2010 Senate ballot papers is at **Attachment 5**.
- 3.15 The complexity of the task faced by a voter in the larger States wishing to cast a formal vote for a Senate election by marking the ballot paper below the line is significant. Generally speaking, voters are required to consecutively number the squares next to each candidate's name in order for a vote to be considered formal.⁸ The proportion of electors casting a vote below the line for States with large numbers of candidates, as shown in Table 3.3 below, may suggest a disinclination on the part of many electors to attempt a below-the-line vote.

⁸Section 270 of the Electoral Act provides that certain ballot papers in a Senate election with non-consecutive numbers may be formal.

Table 3.3 – 2010 Senate elections, ticket ('above-the-line') and non-ticket ('below-the-line') votes, by state/territory.

State	Candidates	Ticket votes	Ticket %	Non-ticket votes	Non-ticket %	Total votes
New South Wales	84	4 059 558	97.76	92 966	2.24	4 152 524
Victoria	60	3 122 603	97.01	96 148	2.99	3 218 751
Queensland	60	2 374 789	96.91	75 722	3.09	2 450 511
Western Australia	55	1 196 446	96.94	37 773	3.06	1 234 219
South Australia	42	950 000	94.1	59 578	5.9	1 009 578
Tasmania	24	263 944	79.82	66 747	20.18	330 691
Australian Capital Territory	9	174 086	75.93	55 186	24.07	229 272
Northern Territory	15	87 665	90.67	9 022	9.33	96 687

Place of nomination – item 35 of Schedule 3

3.16 Subsection 174(2) of the Electoral Act currently requires that '[i]n elections for the House of Representatives the office of the [DRO] shall be the place of nomination therein.' Item 35 of Schedule 3 of the Bill proposes to repeal the word 'therein' from the Electoral Act. This will reflect that whilst the AEC will establish a presence in each division at election time, the office of the DRO will not necessarily be located within the division for which he or she is the returning officer.

Other amendments

Definition of a pre-poll voting office – items 1 and 41 of Schedule 3

4.1 These items correct an error in the definition of 'pre-poll voting office', so that it is defined to mean 'a place declared by the Electoral Commissioner', rather than a place declared by the 'Electoral Commission'.

Simplify the appointment of Assistant Returning Officers – items 2 and 42 of Schedule 3

4.2 At election time Assistant Returning Officers (ARO) are appointed to help run elections. Specifically, AROs manage the counting of ballot papers after 6pm on

polling day⁹ (see, for example, section 274 of the Electoral Act and section 90 of the Referendum Act). AROs might also count votes taken by mobile polling teams and at pre-poll voting offices. AROs are appointed under section 33 of the Electoral Act and section 6 of the Referendum Act.

- 4.3 The current provisions enable an ARO to be appointed by the Electoral Commission at a place outside of Australia or for ‘a portion of a Division’. Whilst AROs are appointed to manage particular geographic areas in some larger divisions, an ARO is often used to manage some or all processes, for one or more divisions, at a pre-poll voting office, mobile polling site or a polling place. While the ‘portion of a division’ can be described in an appointment instrument so that it covers these arrangements appropriately, this is a complicated approach.
- 4.4 The amendments propose amending section 6 of the Referendum Act and section 33 of the Electoral Act to provide that an ARO may be appointed so that from 6pm on polling day he or she may manage the counting of votes. It is expected that the ARO will be appointed ‘at large’ and be subject to the direction of the person who appointed him or her. The amendments also propose providing that the appointment is to be made by the Electoral Commissioner (or delegate) rather than the Electoral Commission.

Revision of provisions relating to persons incapable of understanding the nature and significance of enrolment and voting – items 3, 4, 10 and 11 of Schedule 3

- 4.5 Section 93(8)(a) of the Electoral Act provides that a person who, by reason of being of unsound mind is incapable of understanding the nature and significance of enrolment and voting, is not entitled to have his or her name placed or retained on any roll or to vote at any Senate election or House of Representatives election. Currently, electors may be removed from the roll under this section following receipt of both:
- an objection by an enrolled elector (often a family member or friend), and
 - a medical certificate.
- 4.6 Information relating to the removal of an elector from the roll on the grounds of unsound mind may be forwarded to Joint Roll Partners by the AEC depending on their respective legislation, but is not otherwise shared with other organisations. 5 445 people were removed from the roll by objection on the grounds of unsound mind in 2011–12.

⁹ Most Officers-in-Charge of polling places become AROs after 6pm.

- 4.7 This matter was canvassed in submissions and evidence before the JSCEM as part of its inquiry into the 2007 federal election. In submission 169.6 to the inquiry the AEC noted that:

12. 'Unsound' mind provisions

12.1 Several submissions and witness have referred to the process for ascertaining the capacity of electors to enrol, or more commonly, the removal of electors from the roll for having lost capacity.

[...]

12.5 While the AEC appreciates that some electors find the process of removing electors from the roll cumbersome the need for two documents – an objection (often from a family member) and a medical certificate is designed to balance the concerns of the objector with the rights of the elector. The AEC have received no suggestions that medical certificates are being improperly issued for this purpose, and would discuss such a serious allegation with the Australian Medical Association as a matter of urgency.

12.6 The AEC is aware of the wider policy debate around approaches to capacity and changes to legislative and policy environments that adopt a sympathetic and non-discriminatory approach to the assessment of a person's capacity. At present the [Electoral Act] does not allow this, and the AEC are aware that the prescribed terms cause offence and distress. The AEC agrees with some submissions that the current legislation in the area is in need of review to integrate new legislative approaches into the electoral context.

- 4.8 The issue was also raised for discussion in 2009, as part of the Government's *Electoral Reform Green Paper—Strengthening Australia's Democracy*. A number of submissions to this process supported adoption of a modernised approach to mental capacity in enrolment provisions, including those from the Human Rights Law Resource Centre, the Australian Federation of Disability Organisations and People with Disability, Disability Discrimination Legal Centre, Physical Disability Council of NSW and the ACT Council of Social Service.
- 4.9 The relevant amendments broadly effect two changes:
- removal of the term, 'unsound mind', which has caused considerable offence and distress for some time, and
 - provision for a broader range of appropriate qualified persons (including a medical practitioner, a psychiatrist, a psychologist and a social worker) to provide a statement (instead of a medical certificate) concerning an elector's capacity to understand the nature and significance of voting.

- 4.10 The definition of a ‘qualified person’ has been based on subsection 47F(7) of the *Freedom of Information Act 1982*.

Recognition of more than one approved form for enrolment purposes – items 5 and 6 of Schedule 3

- 4.11 Subsection 98(2) of the Electoral Act requires that a claim for enrolment ‘must be in the approved form’. The AEC cooperates with all state and territory electoral commissions so that there is a joint form for the purposes of federal, state and local government enrolment. The arrangements between the commissions are determined under section 84 by an agreement between the Governor-General and a Governor.¹⁰ In practice this means that for the purposes of subsection 98(2) of the Electoral Act there are in fact eight approved enrolment forms for the purposes of ordinary enrolment.
- 4.12 Additionally, the forms may be available in more than one format, for example, as a hard-copy form available from a range of outlets, a downloadable pdf form or as an online form.
- 4.13 The proposed amendments will change the provision to read ‘an’ approved form rather than ‘the’ approved form to more accurately reflect electoral practice.

Clarify provisional enrolment arrangements for 16 and 17 year olds – item 7 of Schedule 3

- 4.14 This is a clarifying amendment, that makes clear 16 and 17 year olds may enrol under section 100 of the Electoral Act.
- 4.15 The provisional enrolment age was lowered from 17 years of age to 16 following the unanimous recommendation of the JSCEM inquiry into the 2007 federal election (recommendation 12 refers). Schedule 3 of the *Electoral and Referendum Amendment (Modernisation and Other Measures) Act 2010* effected this change by replacing a number of references in the Electoral Act from ‘age 17’ or ‘17 years’ to ‘age 16’ or ‘16 years’. Subsection 100(1) now reads as follows:

¹⁰ Or in the case of the Northern Territory and the Australian Capital Territory, the Administrator of the Northern Territory and the Chief Minister of the Australian Capital Territory.

100 Claims for age 16 enrolment

- (1) A person who:
- (a) is 16 years of age; and
 - (b) would be entitled, in respect of residence at an address, to be enrolled for a Subdivision if he or she were 18 years of age;
- may send or deliver a claim to have his or her name placed on the Roll for that Subdivision to the Electoral Commissioner.

4.16 The AEC has received numerous inquiries along the lines that section 100 of the Electoral Act currently provides that a person who is 16 years old may enrol, not that once a person reaches 16 years they may enrol. The proposed amendment seeks to clarify this by making the intent of the 2010 changes clear.

Simplifying paperwork for silent electors – items 8 and 9 of Schedule 3

- 4.17 Section 104 of the Electoral Act provides for electors in certain personal circumstances to apply to register as a silent elector in order to have their address suppressed on the electoral roll. Subsection 104(1) provides that each time a 'silent' elector moves, that person must provide a transfer of enrolment form, and a new request for registration as a silent elector.
- 4.18 The amendments propose that existing silent electors who transfer their enrolment anywhere in Australia will not be required to submit a new request for registration as a silent elector, with an accompanying statutory declaration, with their transfer of enrolment application. The AEC will manage silent electors by periodically reviewing the person's entitlement to have his or her address suppressed.
- 4.19 It is not intended that this amendment will alter arrangements for electors who are transferring their enrolment and applying for registration as a silent elector for the first time.

Review of certain decisions made by a DRO – items 12 and 13 of Schedule 3

- 4.20 These are technical amendments consequential to amendments made to the enrolment provisions of the Electoral Act by the *Electoral and Referendum Amendment (Pre-poll Voting and Other Measures) Act 2010*. The amendments provide for the internal review of a decision of a DRO made in relation to applications for enrolment from outside Australia (section 94A of the Electoral Act) or an application for enrolment as an itinerant elector (section 96 of the Electoral Act). As decisions to accept these applications under section 94A and 96 were

previously made by the Electoral Commissioner (delegated to the Australian Electoral Officer for the relevant state or territory not to DROs) there were no provisions for internal review - only external review was available.

Determining the eligibility of people supporting an application for a registration of a new political party – item 14 of Schedule 3

- 4.21 The current requirement in paragraph 123(3)(b) of the Electoral Act that a member of a political party only be 'entitled to enrolment' means that for party registration purposes it is sometimes difficult to verify that person's eligibility. The issue usually arises when the AEC checks the list of 500 members provided in support of an application for registration of a political party in accordance with paragraph 126(2)(ca) of the Electoral Act. Requiring the 500 members relied on for the purposes of registration to be enrolled will mean that the AEC can more easily establish the member's eligibility, reducing the likelihood that questions regarding members' entitlement to enrol may delay the registration process.
- 4.22 The proposed amendments will substitute 'an elector' for 'entitled to enrolment' in paragraph 123(3)(b) of the Electoral Act.

Repeal requirement to publish party registration information in the Gazette – items 15 – 34 of Schedule 3

- 4.23 Part XI of the Electoral Act – in particular subsection 132(1), paragraph 133(1)(d), paragraph 134A(6)(e), paragraph 136(1A) (c), paragraph 137(1)(e), subsection 137(4), paragraph 137(6)(c) - requires numerous matters relating to the registration of political party¹¹ to be published in the *Gazette*. However, as a means of publishing information, for many people, the *Gazette* is no longer a primary source of information.
- 4.24 The proposed amendments require the Electoral Commissioner to publish the decisions made under Part XI of the Electoral Act on the AEC's website and in any other way the Electoral Commissioner determines. This will be consistent with recent amendments to subsection 80(2A) of the Electoral Act in relation to polling places. References to matters to be published in the *Gazette* – subsection 132(2) and paragraph 132(7)(b) - will be amended to refer to publication on the AEC website. The requirement to publish in newspapers remains.

¹¹ These include notifying receipt of an application to register a political party, that a party has been registered, changes to the registered details of a party or that a party has been deregistered.

Providing a declaration vote to a person when a mark on an electronic certified list at another polling place indicates that the person has already voted – item 37 of Schedule 3

- 4.25 With the advent of electronic certified lists, it is anticipated that, if the electronic certified lists were linked to a central database, it will eventually be possible for the AEC to check if a person appears to have voted before at another polling place. In the case where it appears that someone has voted before at another polling place, the AEC's intention is still to issue ballot papers to that person. The ballot papers will, however, be required to be inserted into a declaration envelope. So, if a potential voter says they have not voted before, but the electronic certified list indicates otherwise the person will be able to vote, but must complete and sign a declaration that they are eligible to vote. The decision as to whether or not the ballot papers are admitted to the count will then be made after further investigation and as part of the preliminary scrutiny. The AEC will also be able to consider whether or not action should be taken in relation to apparent multiple voting.
- 4.26 The current provisions in the Electoral Act and the Referendum Act require the AEC to issue ordinary ballot papers unless it appears that the person has voted before **at the same polling place**. The amendments propose recasting the provisions to ensure the AEC could issue a declaration vote to a person where a mark appeared on an approved list of voters at any polling place.

Discarded ballot papers – items 38, 39, 44 and 45 of Schedule 3

- 4.27 There are occasions where an elector will take ballot papers to a voting compartment and leave them there, despite legislative provisions requiring an elector to mark his or her ballot papers and deposit them in a ballot box.
- 4.28 While there are administrative procedures to deal with discarded ballot papers, these amendments propose to insert new provisions in the Electoral Act and the Referendum Act so that discarded ballot papers may be dealt with in a manner supported by legislation. The new provisions are modelled on the 'spoilt' ballot paper provisions (section 238 of the Electoral Act and section 41 of the Referendum Act refer).

Attachment 1

183 Grounds of application for postal vote

- (1) An elector may apply for a postal vote on any of the grounds set out in Schedule 2.
- (2) A person who is provisionally enrolled may apply for a postal vote.

Schedule 2—Grounds of application for postal or pre-poll vote

Sections 183 and 200A

1. Throughout the hours of polling on polling day, the elector will be absent from the State or Territory for which the elector is enrolled.
2. The elector will not, at any time during the hours of polling on polling day, be within 8 kilometres by the nearest practicable route of any polling booth in the State or Territory for which the elector is enrolled.
3. Throughout the hours of polling on polling day, the elector will be travelling under conditions that will prevent the elector attending a polling booth in the State or Territory for which the elector is enrolled.
- 3A. Throughout the hours of polling on polling day, the elector will be absent from the Division for which the elector is enrolled.
4. The elector will be unable to attend a polling booth on polling day because of:
 - (a) serious illness;
 - (b) infirmity; or
 - (c) approaching childbirth.

(In the case of an elector who will be a patient at a hospital on polling day, this paragraph applies regardless of the operation of sections 224 and 227.)

5. On polling day, the elector will be unable to attend a polling booth because the elector will be at a place (other than a hospital) caring for a person who is seriously ill or infirm or who is expected shortly to give birth.
6. Throughout the hours of polling on polling day, the elector will be a patient at a hospital and unable to vote at the hospital.
- 7A. The elector will be unable to attend a polling booth on polling day because of a reasonable fear for, or a reasonable apprehension about, his or her personal wellbeing or safety.

8. Because of the elector's religious beliefs or membership of a religious order, the elector:
 - (a) is precluded from attending a polling booth; or
 - (b) for the greater part of the hours of polling on polling day, is precluded from attending a polling booth.
9. On polling day, the elector will be serving a sentence of imprisonment or otherwise under detention.
10. The elector's address has been excluded from the Roll under section 104.
11. Throughout the hours of polling on polling day, the elector will be engaged in his or her employment or occupation and:
 - (a) if the elector is an employee, the elector is not entitled to leave of absence under section 345; and
 - (b) in any other case, the absence of the elector for the purpose of attending at a polling booth to vote would be likely to cause loss to the person in his or her occupation.

Attachment 2

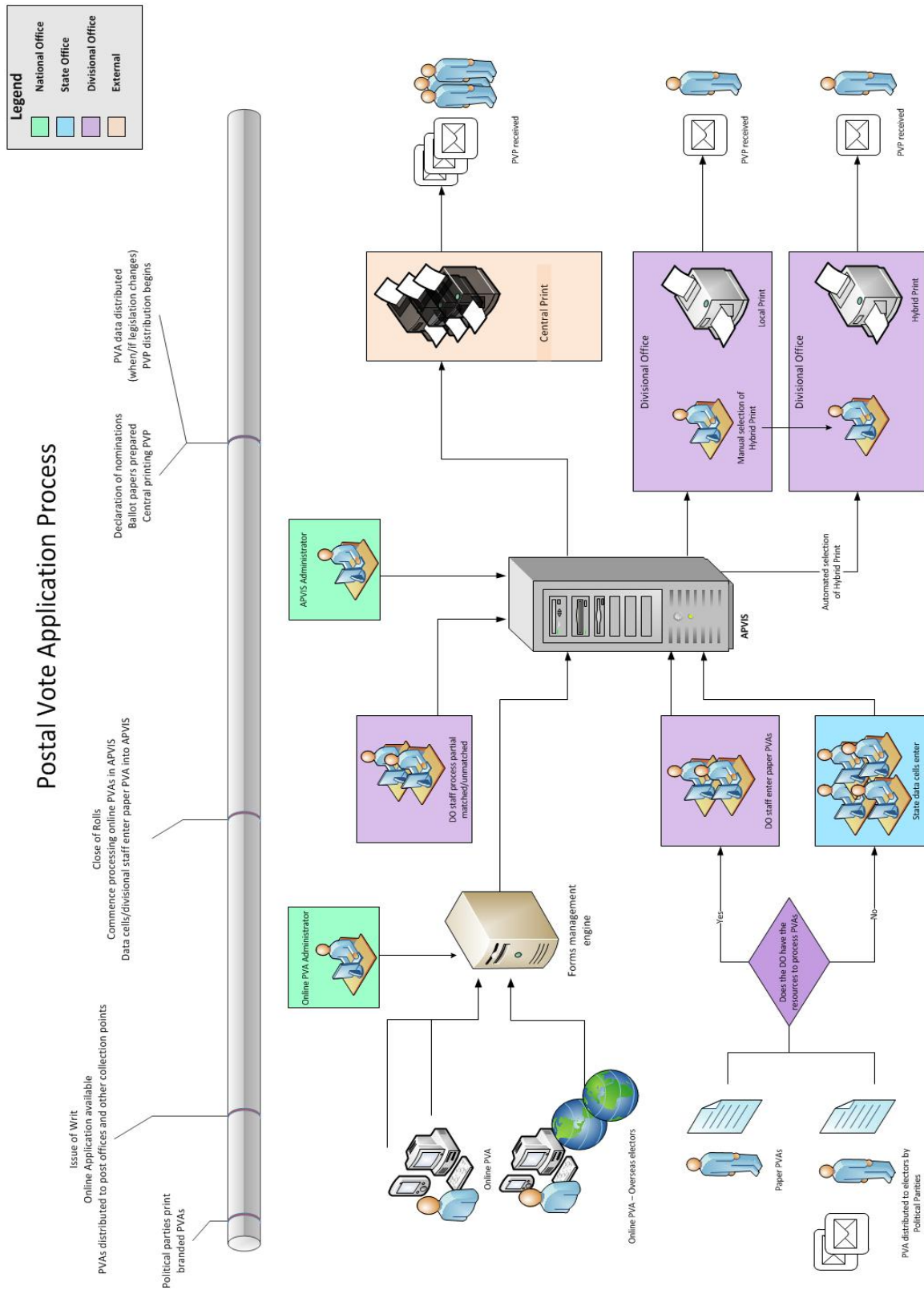
184A Application for registration as general postal voter

- (1) An elector may apply to the Electoral Commissioner for registration as a general postal voter for a Division.
- (2) An application shall be made on one of the following grounds:
 - (a) the applicant's real place of living is not within 20 kilometres, by the shortest practicable route:
 - (i) of any polling place; or
 - (ii) of any place determined under paragraph 227(4)(a) to be a place that will be visited by mobile polling teams for the purposes of section 227;
 - (b) the applicant:
 - (i) is a patient at a hospital (other than a hospital that is a polling place); and
 - (ii) because of serious illness or infirmity, is unable to travel from the hospital to a polling place;
 - (c) because of serious illness or infirmity, the applicant is unable to travel from the place where he or she lives to a polling place;
 - (ca) because the applicant will be at a place (other than a hospital) caring for a person who is seriously ill or infirm, the applicant is unable to travel from that place to a polling place;
 - (d) the applicant is detained in custody;
 - (e) the enrolment of the applicant was obtained by means of a claim signed under subsection 98(3);
 - (f) a registered medical practitioner has certified, in writing, that the applicant is so physically incapacitated as to be incapable of signing his or her name;
 - (g) the applicant's address has been excluded from the Roll under section 104;

- (h) because of the applicant's religious beliefs or membership of a religious order, the applicant:
 - (i) is precluded from attending a polling booth; or
 - (ii) for the greater part of the hours of polling on polling day, is precluded from attending a polling booth;
 - (i) the applicant is a defence member, or defence civilian, who is serving outside Australia;
 - (j) the applicant is an AFP officer or staff member who is serving outside Australia;
 - (k) the applicant is an eligible overseas elector.
- (3) An application in respect of an elector to whom paragraph (2)(e) or (f) applies may be made by another person on behalf of the elector.
- (4) The certificate referred to in paragraph (2)(f) shall be lodged with an application made on the ground set out in that paragraph.
- (5) An elector may apply on the ground referred to in paragraph (2)(i) or (j) before he or she has left Australia.
- (6) The regulations may specify whether a particular situation does, or does not, constitute serving outside Australia for the purposes of paragraph (2)(i) or (j). The regulations have effect accordingly.

Attachment 3

Postal vote application process



Version 0.2

Attachment 4

Automated Postal Vote Issuing System

The AEC's automated postal vote issuing system (APVIS) is used for processing postal vote applications (PVAs). APVIS is a sub-system of the Election Processing subsystem of the AEC's Roll Management System (RMANS). Postal vote packages (PVPs), containing ballot papers, a postal vote certificate (PVC) and a 'How to postal vote' pamphlet, may be output centrally, locally or by a 'hybrid' form of local printing in another location. To aid in determining the most appropriate output method for PVPs, APVIS contains information on Australia Post delivery data for postcodes with limited mail delivery.

APVIS functions

APVIS is the means by which AEC staff issue postal votes. APVIS supports the:

- recording of valid paper PVAs upon receipt,
- importation of application details from the online PVA system and matching against the certified list for an electoral event,
- recording of PVAs issued by overseas posts,
- recording of defective PVAs, including the printing of defective PVA letters,
- management of importing and exporting of data between the online PVA form and RMANS,
- management of matching PVAs against the certified list,
- staff investigation of unmatched, partial matched and special action online PVAs,
- verification and processing of online PVAs so it is output as either a matched or unmatched PVA,
- diversion of workloads to other areas as appropriate,
- online reporting to monitor statistics and workloads,
- supply of postal vote data to the central print contractor for production of PVPs,
- printing of postal votes for which centralised production would not be appropriate (local print),
- output of a PVC to the divisions that service the postcodes which have only 1 or 2 mail deliveries per week (hybrid print) — note this was a recommendation from the JSCEM report into the 2004 federal election,
- printing of PVPs in divisional offices when centralised production has cut-off (allows divisional staff to send postal vote packages by the most reasonable and practicable means) — another recommendation from the JSCEM report into the 2004 federal election,
- supply of data to call centre for PVA progress tracking purposes,
- supply of data to the online forms management for internal monitoring purposes,

- supply of data to the online forms management system to enable electors to self-track the progress of their PVAs or to cancel if they no longer require a postal vote,
- receipt of PVC lodgement information from Australia Post, which in turn provides information to the call centre and online forms management system to update electors on the progress of their PVP — providing lodgement information to electors was also a recommendation from the JSCEM report into the 2004 federal election,
- tracking of voters who have applied for a postal vote and who have also cast a vote with a mobile polling team, and
- tracking of postal votes returned for other divisions.

APVIS provides general postal voter (GPV) and postal vote applicant (online and paper PVAs) data to the central print contractor who is then responsible for preparing and despatching the PVPs.

Matched and unmatched PVAs

All PVAs are checked against the certified list. Staff issue a postal vote as 'matched' if a single match can be made from the PVA with an enrolment record that is consistent with the information supplied on the PVA. The issuing officer must be satisfied that the applicant's name, date of birth, and claimed state or territory of enrolment represents the enrolled elector's name, date of birth and actual state or territory of enrolment on the certified list. If such a match is not possible, they must issue the postal vote for the applicant as 'unmatched'. As time of is of the essence and enrolment entitlements for a returned PVC are checked during preliminary scrutiny, staff do not conduct an extensive search to determine if an application should be issued as 'matched' and so some PVCs are issued as 'unmatched' and subsequently checked for enrolment or entitlement during preliminary scrutiny.

Similarly, online PVAs that can be matched with an enrolment record on the certified list will be processed automatically (that is, without staff intervention). Online PVAs for which a match to an enrolment record cannot be made will be subject to manual intervention by AEC staff. If a match is not apparent to AEC staff, then the application is issued as 'unmatched' and the enrolment entitlement further investigated during preliminary scrutiny.

The process of matching PVAs to the certified list facilitates the preliminary scrutiny process on receipt of the completed PVC, as the enrolment entitlement has already been confirmed.

Attachment 5

Ballot papers for Senate elections for New South Wales and Victoria

YOU MAY VOTE IN ONE OF TWO WAYS

Either:

Above the line

By placing the single figure **1** in one and **only one** of these squares to indicate the voting ticket you wish to adopt as your vote

A	or	B	or	C	or	D	or	E	or	F	or	G	or	H
<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
SOCIALIST ALLIANCE								BUILDING AUSTRALIA		SENATOR ON-LINE		COMMUNIST		

Or:

Below the line

By placing the numbers **1 to 84** in the order of your preference

A	B	C	D	E	F	G	H		
SOCIALIST ALLIANCE				BUILDING AUSTRALIA		SENATOR ON-LINE		COMMUNIST	
<input type="checkbox"/> EVANS Rachel SOCIALIST ALLIANCE	<input type="checkbox"/> HODGES Robert	<input type="checkbox"/> ROBINSON Tony	<input type="checkbox"/> HODGES Darrin	<input type="checkbox"/> BROWN Ray BUILDING AUSTRALIA	<input type="checkbox"/> BAS Wes SENATOR ON-LINE	<input type="checkbox"/> LAWLER Geoff COMMUNIST	<input type="checkbox"/> BLOOM Nadia		
<input type="checkbox"/> ISKANDER Soubhi SOCIALIST ALLIANCE	<input type="checkbox"/> FRIER Bob	<input type="checkbox"/> SELBY Noel	<input type="checkbox"/> FOLKES Nick	<input type="checkbox"/> O'DONNELL Michael BUILDING AUSTRALIA	<input type="checkbox"/> ROACH Brianna SENATOR ON-LINE	<input type="checkbox"/> KELLAWAY Brenda Anne COMMUNIST	<input type="checkbox"/> IRELAND Bede		

I	J	K	L	M	N	O	P	Q
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
or	or	or	or	or	or	or	or	or
CITIZENS ELECTORAL COUNCIL OF AUSTRALIA	AUSTRALIAN DEMOCRATS			THE CLIMATE SCEPTICS	SECULAR PARTY OF AUSTRALIA	SHOOTERS AND FISHERS	DEMOCRATIC LABOR PARTY (DLP) OF AUSTRALIA	AUSTRALIAN SEX PARTY

I	J	K	L	M	N	O	P	Q
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CITIZENS ELECTORAL COUNCIL OF AUSTRALIA	AUSTRALIAN DEMOCRATS			THE CLIMATE SCEPTICS	SECULAR PARTY OF AUSTRALIA	SHOOTERS AND FISHERS	DEMOCRATIC LABOR PARTY (DLP) OF AUSTRALIA	AUSTRALIAN SEX PARTY
<input type="checkbox"/> BUTLER Robert H CITIZENS ELECTORAL COUNCIL OF AUSTRALIA	<input type="checkbox"/> CLANCY Fiona AUSTRALIAN DEMOCRATS	<input type="checkbox"/> SAMPSON Meg	<input type="checkbox"/> BELGRAVE Leon Adrian	<input type="checkbox"/> KOUTALIANOS Bill THE CLIMATE SCEPTICS	<input type="checkbox"/> BRYCE Ian SECULAR PARTY OF AUSTRALIA	<input type="checkbox"/> MUIRHEAD Jim Gerard SHOOTERS AND FISHERS	<input type="checkbox"/> McCAFFREY Simon Thomas DEMOCRATIC LABOR PARTY (DLP) OF AUSTRALIA	<input type="checkbox"/> LEISHMAN Marianne AUSTRALIAN SEX PARTY
<input type="checkbox"/> McCAFFREY Ian David CITIZENS ELECTORAL COUNCIL OF AUSTRALIA	<input type="checkbox"/> MITCHELL Jen AUSTRALIAN DEMOCRATS	<input type="checkbox"/> HINCHCLIFFE J	<input type="checkbox"/> BEREGSZASZI Janos	<input type="checkbox"/> BROWN Geoffrey THE CLIMATE SCEPTICS	<input type="checkbox"/> WARREN Lyle Richard SECULAR PARTY OF AUSTRALIA	<input type="checkbox"/> McGLASHAN Alistair David SHOOTERS AND FISHERS	<input type="checkbox"/> CULLEN Martin DEMOCRATIC LABOR PARTY (DLP) OF AUSTRALIA	<input type="checkbox"/> CAMPBELL Huw AUSTRALIAN SEX PARTY
								<input type="checkbox"/> ZIMMERMAN Larissa AUSTRALIAN SEX PARTY

R

or

S

or

SOCIALIST EQUALITY PARTY

T

or

U

or

NON-CUSTODIAL PARENTS PARTY (EQUAL PARENTING)

V

or

FAMILY FIRST

W

or

LABOR

X

or

Y

or

CARERS ALLIANCE

R

BARKER
David

ZUREIK
S G

S

SOCIALIST EQUALITY PARTY

BEAMS
Nick
SOCIALIST EQUALITY PARTY

ZABALA
Gabriela
SOCIALIST EQUALITY PARTY

T

BOURKE
William

O'CONNOR
Mark

U

THOMPSON
Andy
NON-CUSTODIAL PARENTS PARTY (EQUAL PARENTING)

FOSTER
Roland
NON-CUSTODIAL PARENTS PARTY (EQUAL PARENTING)

V

FAMILY FIRST

SWANE
Greg
FAMILY FIRST

LAMB
Phil
FAMILY FIRST

W

LABOR

FAULKNER
John
LABOR

THISTLETHWAITE
Matthew
LABOR

HUTCHINS
Steve
LABOR

MURNAIN
Anne
LABOR

SEATON
Fiona
LABOR

McDERMOTT
Hugh
LABOR

X

STEFANAC
Jennifer

COOLEY
Tucky Tania

Y

CARTER
Marylou
CARERS ALLIANCE

BUCKWALTER
Maree
CARERS ALLIANCE



Z <input type="checkbox"/> or CHRISTIAN DEMOCRATIC PARTY (FRED NILE GROUP)	AA <input type="checkbox"/> or LIBERAL/NATIONALS	AB <input type="checkbox"/> or	AC <input type="checkbox"/> or ONE NATION	AD <input type="checkbox"/> or THE GREENS	AE <input type="checkbox"/> or	AF <input type="checkbox"/> LIBERAL DEMOCRATS (LDP)
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Z	AA	AB	AC	AD	AE	AF	Ungrouped
CHRISTIAN DEMOCRATIC PARTY (FRED NILE GROUP)	LIBERAL/NATIONALS		ONE NATION	THE GREENS		LIBERAL DEMOCRATS (LDP)	
<input type="checkbox"/> GREEN Paul CHRISTIAN DEMOCRATIC PARTY (FRED NILE GROUP)	<input type="checkbox"/> FIERRAVANTI- WELLS Concetta LIBERAL	<input type="checkbox"/> ECKFORD Michael	<input type="checkbox"/> WEBBER Andrew ONE NATION	<input type="checkbox"/> RHIANNON Lee THE GREENS	<input type="checkbox"/> KERNOT Cheryl	<input type="checkbox"/> DRUERY Glenn LIBERAL DEMOCRATS (LDP)	<input type="checkbox"/> RICHARDSON Hamish INDEPENDENT
<input type="checkbox"/> PEEBLES Robyn CHRISTIAN DEMOCRATIC PARTY (FRED NILE GROUP)	<input type="checkbox"/> HEFFERNAN William LIBERAL	<input type="checkbox"/> STEVENS Criselee	<input type="checkbox"/> BRETT John ONE NATION	<input type="checkbox"/> McILROY Keith THE GREENS	<input type="checkbox"/> CANT Simon	<input type="checkbox"/> GABB Lucy LIBERAL DEMOCRATS (LDP)	<input type="checkbox"/> HOOPER Norman H Joseph INDEPENDENT
<input type="checkbox"/> NILE Elaine CHRISTIAN DEMOCRATIC PARTY (FRED NILE GROUP)	<input type="checkbox"/> NASH Fiona NATIONALS			<input type="checkbox"/> JEGATHEESWARAN Brami THE GREENS		<input type="checkbox"/> STITT Peter LIBERAL DEMOCRATS (LDP)	<input type="checkbox"/> SCOTT-IRVING Stewart INDEPENDENT
	<input type="checkbox"/> HUGHES Hollie LIBERAL			<input type="checkbox"/> SWIFT Harriett THE GREENS			<input type="checkbox"/> PAPE Bryan INDEPENDENT
	<input type="checkbox"/> DENNIS Joe NATIONALS			<input type="checkbox"/> MORRISSEY Simone THE GREENS			<input type="checkbox"/> WHALAN Andrew INDEPENDENT
	<input type="checkbox"/> BILIC George LIBERAL			<input type="checkbox"/> KANAK Dominic Wy THE GREENS			

YOU MAY VOTE IN ONE OF TWO WAYS

Either:

Above the line

By placing the single figure **1** in one and **only one** of these squares to indicate the voting ticket you wish to adopt as your vote

A <input type="checkbox"/> or	B <input type="checkbox"/> or	C <input type="checkbox"/> or	D <input type="checkbox"/> or	E <input type="checkbox"/> or	F <input type="checkbox"/> or	G <input type="checkbox"/> or
SOCIALIST EQUALITY PARTY		FAMILY FIRST	AUSTRALIAN GREENS	SENATOR ON-LINE	DEMOCRATIC LABOR PARTY (DLP) OF AUSTRALIA	AUSTRALIAN DEMOCRATS

Or:

Below the line

By placing the numbers **1 to 60** in the order of your preference

A SOCIALIST EQUALITY PARTY	B	C FAMILY FIRST	D AUSTRALIAN GREENS	E SENATOR ON-LINE	F DEMOCRATIC LABOR PARTY (DLP) OF AUSTRALIA	G AUSTRALIAN DEMOCRATS
<input type="checkbox"/> O'CONNOR Patrick SOCIALIST EQUALITY PARTY	<input type="checkbox"/> TOSCANO Joseph	<input type="checkbox"/> FIELDING Steven FAMILY FIRST	<input type="checkbox"/> DI NATALE Richard AUSTRALIAN GREENS	<input type="checkbox"/> SARGENT Glenn R SENATOR ON-LINE	<input type="checkbox"/> MADIGAN John DEMOCRATIC LABOR PARTY (DLP) OF AUSTRALIA	<input type="checkbox"/> HOWE Roger AUSTRALIAN DEMOCRATS
<input type="checkbox"/> VONGVIXAY Keo SOCIALIST EQUALITY PARTY	<input type="checkbox"/> WARFE Jenny	<input type="checkbox"/> PLUMRIDGE Gary FAMILY FIRST	<input type="checkbox"/> RICE Janet AUSTRALIAN GREENS	<input type="checkbox"/> WARDLE Emma Louise SENATOR ON-LINE	<input type="checkbox"/> GONSALVEZ Geraldine DEMOCRATIC LABOR PARTY (DLP) OF AUSTRALIA	<input type="checkbox"/> WESTGARTH Rick AUSTRALIAN DEMOCRATS
	<input type="checkbox"/> SADAUSKAS Andrew	<input type="checkbox"/> BOWN SEELEY Ann Edith FAMILY FIRST	<input type="checkbox"/> BUI Nam AUSTRALIAN GREENS		<input type="checkbox"/> KAVANAGH John DEMOCRATIC LABOR PARTY (DLP) OF AUSTRALIA	
		<input type="checkbox"/> GOH Yuli FAMILY FIRST	<input type="checkbox"/> HARGRAVE Jen AUSTRALIAN GREENS			
		<input type="checkbox"/> KHOO Joyce FAMILY FIRST	<input type="checkbox"/> RIVENDELL Julie AUSTRALIAN GREENS			
			<input type="checkbox"/> SHNOOKAL Liezl AUSTRALIAN GREENS			

H



or

SHOOTERS AND FISHERS

I



or

AUSTRALIAN SEX PARTY

J



or

THE CLIMATE SCEPTICS

K



or

SOCIALIST ALLIANCE

L



or

CITIZENS ELECTORAL COUNCIL

M



or

BUILDING AUSTRALIA

N



or

ONE NATION

O



or

LIBERAL/THE NATIONALS

H

SHOOTERS AND FISHERS



KELLY
Peter Maxwell
SHOOTERS AND FISHERS



KRSTIC
Alex
SHOOTERS AND FISHERS

I

AUSTRALIAN SEX PARTY



PATTEN
Fiona
AUSTRALIAN SEX PARTY



WILSON
Emma
AUSTRALIAN SEX PARTY



BLAKEY
Katie
AUSTRALIAN SEX PARTY

J

THE CLIMATE SCEPTICS



DAWSON
Chris
THE CLIMATE SCEPTICS



HOLMES
Lee
THE CLIMATE SCEPTICS

K

SOCIALIST ALLIANCE



WINDISCH
Margarita
SOCIALIST ALLIANCE



FIREBRACE
Sharon
SOCIALIST ALLIANCE



GUY
Ron
SOCIALIST ALLIANCE

L

CITIZENS ELECTORAL COUNCIL



MITCHELL
Doug
CITIZENS ELECTORAL COUNCIL



ISHERWOOD
Katherine
CITIZENS ELECTORAL COUNCIL

M

BUILDING AUSTRALIA



EVANS
Darren
BUILDING AUSTRALIA



WHITE
Sam
BUILDING AUSTRALIA

N

ONE NATION



TOWNSEND
Rosalyn
ONE NATION



TOWNSEND
Phillip
ONE NATION

O

LIBERAL/THE NATIONALS



RONALDSON
Michael
LIBERAL



MCKENZIE
Bridget
THE NATIONALS



MCGAURAN
Julian
LIBERAL



JENNISON
Susan
LIBERAL



Senate Ballot Paper 2010
Victoria
 Election of 6 Senators



SUBMISSION 2

P

or

**CHRISTIAN
 DEMOCRATIC
 PARTY**

Q

or

**AUSTRALIAN LABOR
 PARTY**

R

or

**SECULAR PARTY
 OF AUSTRALIA**

S

or

CARERS ALLIANCE

T

or

**LIBERAL
 DEMOCRATS (LDP)**

U

P

**CHRISTIAN
 DEMOCRATIC
 PARTY**

JANSON
 Vickie
 CHRISTIAN
 DEMOCRATIC
 PARTY

EDDY-VEITZ
 Ben
 CHRISTIAN
 DEMOCRATIC
 PARTY

Q

**AUSTRALIAN LABOR
 PARTY**

CARR
 Kim John
 AUSTRALIAN
 LABOR PARTY

CONROY
 Stephen Michael
 AUSTRALIAN
 LABOR PARTY

THOW
 Antony
 AUSTRALIAN
 LABOR PARTY

LEWIS
 Marg
 AUSTRALIAN
 LABOR PARTY

FREEMAN
 Shelly
 AUSTRALIAN
 LABOR PARTY

R

**SECULAR PARTY
 OF AUSTRALIA**

PERKINS
 John Leslie
 SECULAR PARTY
 OF AUSTRALIA

SCEATS
 Rosemary Elizabeth
 SECULAR PARTY
 OF AUSTRALIA

S

CARERS ALLIANCE

MONTEAGLE
 Christopher
 CARERS ALLIANCE

PEACOCK
 Wendy
 CARERS ALLIANCE

T

**LIBERAL
 DEMOCRATS (LDP)**

CURRIE
 Ross
 LIBERAL
 DEMOCRATS (LDP)

KLASS
 Graeme Michael
 LIBERAL
 DEMOCRATS (LDP)

U

MAYNE
 Stephen

PICCININI
 Paula

Ungrouped

BEALE
 Grant
 INDEPENDENT

SHEA
 Glenn
 INDEPENDENT