
The Parliament of the Commonwealth of Australia

Advisory Report on the Electoral and Referendum Amendment (Maintaining Address) Bill 2011

Joint Standing Committee on Electoral Matters

February 2012
Canberra

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Chair's foreword

The Australian Electoral Commission (AEC) advises that there are 1.5 million eligible Australians missing from the Commonwealth electoral roll. The AEC estimates that 600 000 of those 1.5 million eligible electors had previously been on the roll.

In Australia, enrolment and voting is both a right and an obligation. All Australians should take responsibility to meet their enrolment obligations in order to ensure they can participate in selecting their representatives. The methods to enrol and update enrolment details are not onerous. However, some electors neglect to update their details unless they are motivated by an impending electoral event. While others believe that the Commonwealth roll will reflect state enrolment or change of address details that have been supplied to another government agency.

Currently a change to address details must be elector initiated. When the AEC receives information about a change of residential address, it writes to the person instructing them to update their details, but it cannot take the next logical step and update the address details. Worse still, if the person fails to respond, the AEC is obliged to remove them from the roll on the basis that they are no longer entitled to be enrolled at the previous address.

The AEC's Continuous Roll Update (CRU) process is limited because it can only use the third party data received to encourage the elector to update their details; it cannot do it for them. However, if the person does not respond, the same data can be used to remove them from the roll. There is a fundamental inconsistency that this data can be used to remove eligible electors from the roll but not keep them on the roll.

The Electoral Referendum and Amendment (Maintaining Address) Bill 2011 (the Bill) seeks to address this problem. It is proposed that the AEC will be able to take the next logical step by extending its CRU process and directly update the address details of electors who are already enrolled, rather than removing them from the roll.

The state of the roll necessitates the introduction of direct address update as a matter of urgency. It will provide the AEC with greater flexibility to help counter the trend in declining enrolment over the last decade.

It is appropriate for the AEC to have this power and to determine the agencies from which it will receive data. In the past the committee has considered making the data sources subject to Ministerial approval, or to be determined by the AEC and made a disallowable instrument.

However, having examined the mechanisms proposed in the Bill and the AEC's advice on how address update will operate, it is reasonable to conclude that the AEC is best placed to select the agencies that will provide the most accurate and appropriate data for roll management purposes. The AEC will continue to use data from Centrelink, roads and traffic authorities and Australia Post, which has been tried and tested in the CRU and objection processes.

On behalf of the committee I thank the organisations and individuals who assisted the committee during the inquiry through submissions or participating at the hearings in Canberra. I also thank my colleagues on the committee for their work and contribution to this report, and the secretariat for their work on this report.

Daryl Melham MP
Chair



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Membership of the Committee

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The Hon Alan Griffin MP

Ms Amanda Rishworth MP

Senator Simon Birmingham

Senator Carol Brown

Senator Helen Polley

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Terms of reference

On 24 November 2011 the House of Representatives Selection Committee requested the committee inquire into and report on the Electoral and Referendum Amendment (Maintaining Address) Bill 2011.

Under Standing Order 222(e), reports of the Selection Committee are treated as having been adopted by the House when they are presented.



List of abbreviations

AEC	Australian Electoral Commission
APF	Australian Privacy Foundation
CRU	Continuous Roll Update
Electoral Act	<i>Commonwealth Electoral Act 1918</i>
EM	Explanatory Memorandum
the Bill	Electoral Referendum Amendment (Maintaining Address) Bill 2011



Recommendation

2 Analysis of the Bill

Recommendation 1 (paragraph 2.52)

That the House of Representatives pass the Electoral and Referendum Amendment (Maintaining Address) Bill 2011 as proposed.