



Our Ref: jt073

Mr Daryl Melham MP  
Chair  
Joint Standing Committee on Electoral Matters  
Parliament House  
Canberra ACT 2600

Dear Mr Melham

I refer to your letter of 1 June 2011 which requested information concerning a range of matters including the AEC's discussions with the Australian Tax Office (ATO), informal ballot papers and an update on the status of recommendations from the Joint Standing Committee on Electoral Matters (JSCEM) report, *Report on the conduct of the 2007 federal election and matters related thereto*.

#### Discussions with the ATO

1. *Has the AEC held discussions with the Australian Taxation Office seeking assistance in identifying customers who have provided details of changes of address to the ATO?*

The AEC has held discussions with the ATO regarding a range of collaborative measures with the aim of better engaging electors in relation to enrolment. These discussions have included consideration of whether the ATO could assist the AEC to encourage people to enrol or update their enrolment as an adjunct to completing their taxation returns.

2. *If so, what was the outcome of such discussions?*

Key outcomes of the discussions to date are as follows.

- Changes have been made to the E-Tax application to remind tax payers of their obligation to enrol and update their enrolment where a person indicates a change of residential address since lodging their previous tax return.
- Inclusion of AEC enrolment messages in the ATO's *Workforce education news*, an email newsletter issued regularly to employers and professional associations to provide updates about tax and super entitlements and obligations that may affect them, their employees, and members of their organisations.
- Distribution of enrolment forms and information through the ATO's Tax Help volunteer program, which comprises a network of trained community volunteers

who provide a free and confidential service to help people complete their tax returns at tax time.

- Consideration is also being given to use of AEC web banners on the ATO's website at appropriate times during the electoral cycle.

The AEC intends to continue working with the ATO to identify opportunities to collaborate in relation to enrolment in the lead up to the next federal election.

No personal details are being exchanged between the ATO and the AEC under these arrangements. The ATO has advised that they are unable to share any personal details of tax payers due to the confidentiality provisions in current tax legislation.

*3. Is the AEC planning to seek any specific assistance from the Committee to facilitate exchanges of data between the ATO and AEC?*

As noted above, the ATO is not able to provide any relevant information collected to the AEC, as it not authorised by law to do so. The AEC welcomes any assistance the Committee may be able to provide to allow the ATO to share relevant information (i.e. only data which is relevant to enrolment such as name, residential address, date of birth, citizenship status) with the AEC for the purposes of enrolment facilitation initiatives.

The AEC would also welcome similar assistance in relation to access to relevant data from other agencies that would be useful in the context of encouraging enrolment, for example, Medicare.

Informal ballot papers

A table detailing the number of informal ballots containing the number '1' only, or ticks and crosses, by state/territory then by division, is provided at **Attachment A**.

Recommendations from JSCEM's Inquiry into the 2007 federal election

A high-level summary of the status of legislation arising from the Government Response to recommendations from JSCEM's *Report on the conduct of the 2007 federal election and matters related thereto* is provided at **Attachment B**.

Yours sincerely

Ed Killesteyn  
Electoral Commissioner

28 June 2011

## ATTACHMENT A

**2010 House of Representatives Informality - By State and Territory**

State/Territory	Number '1' only	Ticks and crosses	Sum of Number '1' only and Ticks and crosses	All other informal categories	Total Informal Votes
New South Wales	93 466	40 405	133 871	159 892	293 763
Victoria	31 005	13 606	44 611	105 088	149 699
Queensland	44 247	13 626	57 873	79 522	137 395
Western Australia	13 786	7 061	20 847	40 120	60 967
South Australia	13 124	7 258	20 382	36 183	56 565
Tasmania	2 595	1 440	4 035	9 756	13 791
Australian Capital Territory	2 969	1 535	4 504	6 422	10 926
Northern Territory	1 219	793	2 012	4 186	6 198
<b>National</b>	<b>202 411</b>	<b>85 724</b>	<b>288 135</b>	<b>441 169</b>	<b>729 304</b>

Source: AEC 2010, "Analysis of Informal Voting, House of Representatives, 2010 federal election"

**2010 House of Representatives Informality - New South Wales**

Division	Number '1' only	Ticks and crosses	Sum of Number '1' only and Ticks and crosses	All other informal categories	Total Informal Votes
Banks	2 979	1 119	4 098	3 567	7 665
Barton	3 666	1 422	5 088	3 484	8 572
Bennelong	1 723	455	2 178	4 642	6 820
Berowra	1 375	529	1 904	2 219	4 123
Blaxland	3 573	1 454	5 027	7 054	12 081
Bradfield	1 333	720	2 053	1 669	3 722
Calare	997	460	1 457	3 174	4 631
Charlton	1 952	630	2 582	3 594	6 176
Chifley	3 171	1 460	4 631	5 466	10 097
Cook	1 888	727	2 615	2 913	5 528
Cowper	1 237	579	1 816	2 041	3 857
Cunningham	1 717	873	2 590	2 769	5 359
Dobell	1 679	782	2 461	2 872	5 333
Eden-Monaro	1 467	530	1 997	3 693	5 690

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Farrer	1 285	582	1 867	3 744	5 611
Fowler	4 163	2 361	6 524	4 790	11 314
Gilmore	1 391	565	1 956	2 702	4 658
Grayndler	2 165	1 025	3 190	3 154	6 344
Greenway	2 173	783	2 956	6 119	9 075
Hughes	1 765	766	2 531	3 489	6 020
Hume	1 077	426	1 503	3 261	4 764
Hunter	1 658	649	2 307	3 076	5 383
Kingsford Smith	2 713	978	3 691	3 589	7 280
Lindsay	2 418	949	3 367	4 035	7 402
Lyne	1 065	391	1 456	1 838	3 294
Macarthur	1 982	868	2 850	4 049	6 899
Mackellar	1 793	1 074	2 867	1 913	4 780
Macquarie	1 204	334	1 538	3 529	5 067
McMahon	3 311	2 182	5 493	4 217	9 710
Mitchell	1 991	858	2 849	2 103	4 952
New England	1 031	448	1 479	1 868	3 347
Newcastle	1 376	488	1 864	3 084	4 948
North Sydney	1 581	619	2 200	1 786	3 986
Page	1 211	460	1 671	2 247	3 918
Parkes	1 176	738	1 914	2 831	4 745
Parramatta	2 339	1 096	3 435	3 983	7 418
Paterson	1 349	535	1 884	3 040	4 924
Reid	3 047	1 084	4 131	3 549	7 680
Richmond	1 073	318	1 391	3 361	4 752
Riverina	1 205	418	1 623	3 755	5 378
Robertson	1 545	361	1 906	3 889	5 795
Shortland	2 036	864	2 900	2 771	5 671
Sydney	1 512	745	2 257	2 363	4 620
Throsby	1 843	837	2 680	3 517	6 197
Warringah	1 694	608	2 302	1 833	4 135
Watson	4 346	1 886	6 232	5 033	11 265
Wentworth	1 281	733	2 014	2 071	4 085
Werriwa	2 910	1 636	4 546	4 146	8 692
<b>Total</b>	<b>93 466</b>	<b>40 405</b>	<b>133 871</b>	<b>159 892</b>	<b>293 763</b>

Source: AEC 2010, "Analysis of Informal Voting, House of Representatives, 2010 federal election"

**2010 House of Representatives Informality - Victoria**

Division	Number '1' only	Ticks and crosses	Sum of Number '1' only and Ticks and crosses	All other informal categories	Total Informal Votes
Aston	850	395	1 245	2 609	3 854
Ballarat	816	456	1 272	2 184	3 456
Batman	875	588	1 463	2 739	4 202
Bendigo	851	318	1 169	2 419	3 588
Bruce	911	662	1 573	2 647	4 220
Calwell	1 125	759	1 884	4 230	6 114
Casey	929	374	1 303	2 392	3 695
Chisholm	565	263	828	2 052	2 880
Corangamite	599	191	790	2 327	3 117
Corio	814	270	1 084	2 821	3 905
Deakin	517	186	703	2 264	2 967
Dunkley	727	367	1 094	2 404	3 498
Flinders	1 048	363	1 411	2 484	3 895
Gellibrand	811	325	1 136	3 242	4 378
Gippsland	716	83	799	2 697	3 496
Goldstein	760	296	1 056	1 679	2 735
Gorton	1 558	740	2 298	4 750	7 048
Higgins	566	266	832	1 511	2 343
Holt	1 045	536	1 581	4 183	5 764
Hotham	803	343	1 146	2 538	3 684
Indi	647	237	884	2 565	3 449
Isaacs	955	442	1 397	3 119	4 516
Jagajaga	839	286	1 125	2 431	3 556
Kooyong	663	291	954	1 372	2 326
La Trobe	703	307	1 010	2 763	3 773
Lalor	1 321	412	1 733	5 131	6 864
Mallee	852	355	1 207	2 387	3 594
Maribyrnong	971	534	1 505	3 102	4 607
McEwen	905	311	1 216	3 627	4 843
McMillan	589	318	907	2 604	3 511
Melbourne	532	267	799	2 557	3 356
Melbourne Ports	686	287	973	1 875	2 848
Menzies	810	367	1 177	2 320	3 497
Murray	784	325	1 109	3 877	4 986
Scullin	1 173	520	1 693	3 362	5 055

Wannon	671	237	908	3 768	4 676
Wills	1 018	329	1 347	4 056	5 403
<b>Total</b>	<b>31 005</b>	<b>13 606</b>	<b>44 611</b>	<b>105 088</b>	<b>149 699</b>

Source: AEC 2010, "Analysis of Informal Voting, House of Representatives, 2010 federal election"

### 2010 House of Representatives Informality - Queensland

Division	Number '1' only	Ticks and crosses	Sum of Number '1' only and Ticks and crosses	All other informal categories	Total Informal Votes
Blair	1 440	437	1 877	2 712	4 589
Bonner	1 494	430	1 924	2 505	4 429
Bowman	1 504	439	1 943	2 729	4 672
Brisbane	1 071	362	1 433	1 736	3 169
Capricornia	1 435	457	1 892	3 371	5 263
Dawson	1 449	494	1 943	3 127	5 070
Dickson	1 139	264	1 403	2 352	3 755
Fadden	1 563	460	2 023	2 711	4 734
Fairfax	1 268	524	1 792	2 394	4 186
Fisher	1 165	428	1 593	2 420	4 013
Flynn	1 419	393	1 812	2 690	4 502
Forde	1 687	602	2 289	3 108	5 397
Griffith	1 484	385	1 869	2 268	4 137
Groom	1 192	302	1 494	2 161	3 655
Herbert	1 755	585	2 340	2 941	5 281
Hinkler	1 276	423	1 699	3 066	4 765
Kennedy	1 720	508	2 228	2 420	4 648
Leichhardt	1 478	426	1 904	3 113	5 017
Lilley	1 491	418	1 909	2 244	4 153
Longman	1 367	333	1 700	4 229	5 929
Maranoa	1 665	411	2 076	2 454	4 530
McPherson	1 841	522	2 363	2 527	4 890
Moncrieff	1 842	652	2 494	2 491	4 985
Moreton	1 336	477	1 813	2 315	4 128
Oxley	1 885	673	2 558	2 565	5 123
Petrie	1 231	364	1 595	2 658	4 253
Rankin	2 257	859	3 116	3 359	6 475
Ryan	934	249	1 183	1 448	2 631
Wide Bay	1 410	396	1 806	2 713	4 519

Wright	1 449	353	1 802	2 695	4 497
<b>Total</b>	<b>44 247</b>	<b>13 626</b>	<b>57 873</b>	<b>79 522</b>	<b>137 395</b>

Source: AEC 2010, "Analysis of Informal Voting, House of Representatives, 2010 federal election"

### 2010 House of Representatives Informality - Western Australia

Division	Number '1' only	Ticks and crosses	Sum of Number '1' only and Ticks and crosses	All other informal categories	Total Informal Votes
Brand	736	512	1 248	3 056	4 304
Canning	874	492	1 366	2 429	3 795
Cowan	1 039	629	1 668	2 652	4 320
Curtin	744	411	1 155	1 316	2 471
Durack	719	643	1 362	2 316	3 678
Forrest	855	419	1 274	2 570	3 844
Fremantle	923	590	1 513	3 211	4 724
Hasluck	843	397	1 240	3 687	4 927
Moore	780	536	1 316	2 418	3 734
O'Connor	960	453	1 413	3 219	4 632
Pearce	1 083	390	1 473	3 289	4 762
Perth	963	652	1 615	2 785	4 400
Stirling	1 573	172	1 745	2 514	4 259
Swan	853	417	1 270	2 819	4 089
Tangney	841	348	1 189	1 839	3 028
<b>Total</b>	<b>13 786</b>	<b>7 061</b>	<b>20 847</b>	<b>40 120</b>	<b>60 967</b>

Source: AEC 2010, "Analysis of Informal Voting, House of Representatives, 2010 federal election"

### 2010 House of Representatives Informality - South Australia

Division	Number '1' only	Ticks and crosses	Sum of Number '1' only and Ticks and crosses	All other informal categories	Total Informal Votes
Adelaide	1 021	437	1 458	2 936	4 394
Barker	1 071	776	1 847	3 596	5 443
Boothby	839	254	1 093	3 055	4 148
Grey	1 250	981	2 231	2 766	4 997
Hindmarsh	1 462	541	2 003	2 865	4 868
Kingston	1 042	718	1 760	3 165	4 925
Makin	1 170	539	1 709	3 823	5 532
Mayo	890	348	1 238	3 176	4 414

Port Adelaide	1 871	1 317	3 188	3 803	6 991
Sturt	1 198	487	1 685	3 331	5 016
Wakefield	1 310	860	2 170	3 667	5 837
<b>Total</b>	<b>13 124</b>	<b>7 258</b>	<b>20 382</b>	<b>36 183</b>	<b>56 565</b>

Source: AEC 2010, "Analysis of Informal Voting, House of Representatives, 2010 federal election"

### 2010 House of Representatives Informality - Tasmania

Division	Number '1' only	Ticks and crosses	Sum of Number '1' only and Ticks and crosses	All other informal categories	Total Informal Votes
Bass	551	289	840	1 874	2 714
Braddon	591	396	987	1 974	2 961
Denison	333	169	502	1 933	2 435
Franklin	428	241	669	1 696	2 365
Lyons	692	345	1 037	2 279	3 316
<b>Total</b>	<b>2 595</b>	<b>1 440</b>	<b>4 035</b>	<b>9 756</b>	<b>13 791</b>

Source: AEC 2010, "Analysis of Informal Voting, House of Representatives, 2010 federal election"

### 2010 House of Representatives Informality - Australian Capital Territory

Division	Number '1' only	Ticks and crosses	Sum of Number '1' only and Ticks and crosses	All other informal categories	Total Informal Votes
Canberra	1 708	917	2 625	3 130	5 755
Fraser	1 261	618	1 879	3 292	5 171
<b>Total</b>	<b>2 969</b>	<b>1 535</b>	<b>4 504</b>	<b>6 422</b>	<b>10 926</b>

Source: AEC 2010, "Analysis of Informal Voting, House of Representatives, 2010 federal election"

### 2010 House of Representatives Informality - Northern Territory

Division	Number '1' only	Ticks and crosses	Sum of Number '1' only and Ticks and crosses	All other informal categories	Total Informal Votes
Lingiari	744	361	1 105	2 377	3 482
Solomon	475	432	907	1 809	2 716
<b>Total</b>	<b>1 219</b>	<b>793</b>	<b>2 012</b>	<b>4 186</b>	<b>6 198</b>

Source: AEC 2010, "Analysis of Informal Voting, House of Representatives, 2010 federal election"



**Status of legislation arising from the Government Response to recommendations from JSCEM’s *Report on the conduct of the 2007 federal election and matters related thereto***

Key

- MOM – Electoral and Referendum Amendment (Modernisation and Other Measures) Act 2010
- POM – Electoral and Referendum Amendment (Pre-poll Voting and Other Measures) Act 2010
- EPV - Electoral and Referendum Amendment (Enrolment and Prisoner Voting) Act 2011
- PV - Electoral and Referendum Amendment (Provisional Voting) Act 2011
- Government Response – Reflects high-level response only
- \*Status – Where legislative change was not required a general comment is provided

Rec#	Recommendation	Leg. Change Required (Yes or No)	Status*
		Relevant Legislation	
1.	<p>The committee recommends that Section 155 of the <i>Commonwealth Electoral Act 1918</i> be repealed and replaced by a new section which provides that the date fixed for the close of the rolls shall be 7 days after the date of the writ.</p> <p><u>Government Response</u> Supported.</p>	<p>Yes</p> <p><i>EPV Act</i></p>	<p>Implemented.</p>
2.	<p>The committee recommends that the provisions of the <i>Commonwealth Electoral Act 1918</i> and the Electoral and Referendum Regulations 1940 that require provisional voters to provide proof of identity:</p> <ul style="list-style-type: none"> <li>• be repealed; and</li> <li>• that the <i>Commonwealth Electoral Act 1918</i> be amended so that where doubt exists in the mind of the Divisional Returning Officer as to the bona fides of an elector who casts a declaration vote, that the Divisional Returning Officer is to compare the signature of the elector on the declaration envelope to the signature of the elector on a previously lodged enrolment record before making the decision to admit or reject the vote.</li> </ul> <p><u>Government Response</u> Supported.</p>	<p>Yes</p> <p><i>PV Act</i></p>	<p>Implemented.</p> <p>Note that legislation passed included provisions requiring that where the Divisional Returning Officer is not satisfied the signature on the envelope is the signature of the elector, he or she is to make all reasonable attempts to contact the elector within 3 days after the election, to require the elector to provide evidence of his or her identity by the first Friday following the polling day for that election.</p>

Rec#	Recommendation	Leg. Change Required (Yes or No)  Relevant Legislation	Status*
3.	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to provide that where an elector who has lodged a declaration vote at an election has been removed from the roll by objection action on the ground of non-residence and</p> <p>(a) the omission occurred after the election prior to the election to which the scrutiny relates, or</p> <p>(b) where there has been a redistribution of the state or territory that includes the division since the last election but one before the election to which the scrutiny relates, the omission from the roll was made before the last such redistribution, then:</p> <ul style="list-style-type: none"> <li>• if the address at which the elector claims to be enrolled at the time of voting is within the division for which he or she was previously enrolled, his or her House of Representatives and Senate votes will be counted; but</li> <li>• if the address at which the elector claims to be enrolled at the time of voting is in a different division in the same state/territory, his or her Senate vote will be counted, but his or her House of Representatives vote will not be counted.</li> </ul> <p><u>Government Response</u> Supported in part.</p>	Yes	Pending relevant legislation.
4.	<p>The committee recommends that the Australian Electoral Commission amend declaration vote envelopes to include fields in which electors may enter their driver's licence or Australian passport number, and:</p> <ul style="list-style-type: none"> <li>• in those cases where electors provide a driver's licence or Australian passport number, or the elector has previously met the proof of identity requirements for enrolment, and the information provided on the envelope at the time of voting is sufficient to allow update of the electoral roll, the Australian Electoral Commission should update the roll on the basis of the information provided on the declaration envelopes; and</li> <li>• in other cases the Australian Electoral Commission undertake appropriate follow up action to encourage the elector to enrol through the normal enrolment process.</li> </ul> <p><u>Government Response</u> Supported in principle.</p>	No	Under consideration given costs of implementation.
5.	<p>The government consider amending the <i>Commonwealth Electoral Act 1918</i> to:</p> <ul style="list-style-type: none"> <li>• allow the date of the witness signature on the postal vote certificate to be the determining date for validity of postal votes; and</li> <li>• to require postal voters and witnesses to confirm that the required voting actions were completed prior to the close of poll in the state/territory in which the electoral division for which the voter is enrolled, is located.</li> </ul> <p><u>Government Response</u> Supported.</p>	Yes  <i>MOM Act</i>	Implemented.
6.	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> and the <i>Referendum (Machinery Provisions) Act 1984</i> be amended to remove the requirement that postal vote applications be signed by an applicant and a witness, in order to facilitate the lodgement of postal vote applications online, electronically, or in written form, to reduce the incidence of postal vote applications being deemed defective, thus leading to delays in the delivery of postal voting packs to electors.</p> <p><u>Government Response</u> Supported.</p>	Yes  <i>MOM Act</i>	Implemented. Systems design in progress.

Rec#	Recommendation	Leg. Change Required (Yes or No)	Status*
		Relevant Legislation	
7.	<p>The committee recommends that that the provisions of the <i>Commonwealth Electoral Act 1918</i> and the Electoral and Referendum Regulations 1940 which provide that proof of identity for enrolment purposes be required, be amended to:</p> <ul style="list-style-type: none"> <li>• require that proof of identity be required for each elector once only; and</li> <li>• that proof of identity may be established by the provision of a drivers licence number, Australian passport number, or the signature of another person on the Commonwealth electoral roll who shall witness and attest to the identity of the applicant. Any one of these are to be considered as acceptable forms of proof of identity for electors enrolling within Australia.</li> </ul> <p><u>Government Response</u> First bullet point: Supported in part. Second bullet point: Supported.</p>	<p>Yes</p> <p><i>MOM Act</i></p>	<p>Implemented.</p>
8.	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to reinstate section 105 (1)(ba) in a form that will allow the Australian Electoral Commission to alter the address details for enrolled electors who have previously satisfied the proof of identity measures for enrolment, on the basis of information provided by electors in written form to the Australian Electoral Commission.</p> <p><u>Government Response</u> Supported.</p>	<p>Yes</p> <p><i>POM Act and MOM Act</i></p> <p>Paragraph 105(1)(ba) of the <i>Commonwealth Electoral Act 1918</i> was not directly reinserted into the Act. However, section 382 inserted by the <i>POM Act</i> and amended by the <i>MOM Act</i> enables this recommendation to be implemented if the elector meets the requirements prescribed in the <i>Electoral and Referendum Regulations 1940</i>.</p>	<p>Implemented.</p>

Rec#	Recommendation	Leg. Change Required (Yes or No)  Relevant Legislation	Status*
9.	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to allow for the creation, implementation and maintenance of an enrolment website designed to facilitate the receipt and use of information provided electronically by enrolled electors, in order to update the electoral roll.</p> <p>Such a facility should only be provided for use by currently enrolled electors, who must be required to provide sufficient information to satisfy the Australian Electoral Commission that they are in fact the elector to whom the information relates, in the absence of a signature from the elector.</p> <p>The facility must not allow any unauthorised access to the electoral roll and must not permit information contained on the electoral roll to be accessed or amended directly by any person other than an appropriately authorised Australian Electoral Commission officer.</p> <p>Information provided through the facility must only be used by authorised Australian Electoral Commission officers to update the electoral roll, where that information has been subjected to and satisfies the same data integrity checks as is performed on information received through the submission of signed enrolment form.</p> <p><u>Government Response</u> Supported.</p>	<p>Yes</p> <p><i>POM Act</i></p>	<p>Implemented.</p>
10	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to allow the Australian Electoral Commission to receive and use information for the purposes of directly updating the electoral roll, where that information has been:</p> <ul style="list-style-type: none"> <li>• provided by an elector or electors to an agency approved by the Minister as an agency which performs adequate proof of identity checks; and</li> <li>• the elector or electors have indicated their proactive and specific consent to opt in for the information to be used for the purposes of directly updating the electoral roll, and</li> <li>• the data has been provided by that agency to the Australian Electoral Commission for the purposes of updating the electoral roll.</li> </ul> <p><u>Government Response</u> Supported in principle.</p>	<p>Yes</p>	<p>Pending relevant legislation.</p>
11	<p>The committee recommends that in order to facilitate the enrolment of new citizens, that:</p> <ul style="list-style-type: none"> <li>• section 99A be amended to allow that a person who makes an application to become an Australian citizen in accordance with the <i>Australian Citizenship Act 2007</i>, be provisionally enrolled on the Commonwealth electoral roll at the time of making the application for citizenship, where they provide proactive and specific consent to opt in, with voting entitlement gained automatically once Australian citizenship has been granted; and</li> <li>• section 99B of the <i>Commonwealth Electoral Act 1918</i>, which provides that applicants for citizenship may apply for provisional enrolment in an election period, should be repealed as the amended section 99A will render it unnecessary.</li> </ul> <p><u>Government Response</u> Supported.</p>	<p>Yes</p>	<p>Pending relevant legislation.</p>

Rec#	Recommendation	Leg. Change Required (Yes or No)  Relevant Legislation	Status*
12.	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to change the minimum age for provisional enrolment from 17 to 16 years.</p> <p><u>Government Response</u> Supported.</p>	<p>Yes</p> <p><i>MOM Act</i></p>	<p>Implemented.</p>
13.	<p>The committee recommends that the Australian Government enter into discussions with the State and Territory governments with a view to achieving a harmonised enrolment regime which leads to the use of a single enrolment form or enrolment process for the purposes of Commonwealth and state/territory enrolment.</p> <p><u>Government Response</u> Supported.</p>	<p>No</p>	<p>Harmonisation initiatives are being pursued through the Electoral Council of Australia.</p>
14.	<p>The committee recommends that, in order to encourage the enrolment of young Australians, the Australian Electoral Commission introduce a national 'Schools Bounty Scheme' under which government and non-government schools, universities and technical colleges and the like would receive a specified amount for valid enrolment forms collected and forwarded to the Australian Electoral Commission.</p> <p><u>Government Response</u> Noted.</p>	<p>No</p>	<p>Targeted enrolment activities undertaken in the lead up to the 2010 federal election are outlined at paragraphs 3.6.17 – 3.6.24 of the AEC's first submission (submission 87) to this inquiry.</p>
15.	<p>The committee recommends that the Australian Electoral Commission ensure national consistency wherever possible in the state/territory-based activities and strategies undertaken to facilitate roll management activities.</p> <p><u>Government Response</u> Supported.</p>	<p>No</p>	<p>Implemented through the introduction of a national enrolment business plan.</p>
16.	<p>The committee recommends that the Australian Electoral Commission develop state and territory-based enrolment targets that reflect the contribution that is expected by each state and territory to the national enrolment target. Such targets should take account of the particular challenges faced in each state and territory and be reported annually in the Australian Electoral Commission's annual report.</p> <p><u>Government Response</u> Supported.</p>	<p>No</p>	<p>Implementation in progress.</p>

Rec#	Recommendation	Leg. Change Required (Yes or No)  Relevant Legislation	Status*
17.	<p>The committee recommends that the Australian Government provide ongoing and appropriate funding for the Australian Electoral Commission to establish, deliver and maintain a program similar in purpose to the former Aboriginal and Torres Strait Islander Electoral Information Service program to provide ongoing engagement with Indigenous electors.</p> <p><u>Government Response</u> Noted.</p>	No	<p>Implemented.</p> <p>As part of the 2009-10 Budget process, the AEC received \$13 million over four years to establish the Indigenous Electoral Participation Program (IEPP). The IEPP is part of the Government's Closing the Gap initiatives.</p>
18.	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to enable the provision of remote mobile polling at town camps, such as in Darwin and Alice Springs.</p> <p><u>Government Response</u> Supported.</p>	Yes  <i>MOM Act</i>	Implemented.
19.	<p>The committee recommends the <i>Commonwealth Electoral Act 1918</i> be amended to incorporate a definition of homelessness modelled on those in the Victorian <i>Electoral Act 2002</i> to facilitate enrolment or continued enrolment of homeless persons. This definition should include persons living in:</p> <ul style="list-style-type: none"> <li>• crisis accommodation; or</li> <li>• transitional accommodation; or</li> <li>• any other accommodation provided under the <i>Supported Accommodation Assistance Act 1994</i>.</li> </ul> <p><u>Government Response</u> Supported.</p>	Yes  <i>MOM Act</i>	Implemented.
20.	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to allow mobile polling and/or pre-poll facilities to be provided at such locations and at such times as the Australian Electoral Commission deems necessary for the purposes of facilitating voting.</p> <p>For example, mobile polling or pre-poll facilities should be able to be provided where there is likely to be sufficient demand for such facilities by homeless and itinerant electors, or in such other circumstances as warrant their use.</p> <p><u>Government Response</u> Supported.</p>	Yes  <i>MOM Act</i>	Implemented.

Rec#	Recommendation	Leg. Change Required (Yes or No)	Status*
		Relevant Legislation	
21.	<p>The committee recommends that the Australian Electoral Commission ensure that staff engaged in providing advice or services to electors with special needs (eg homelessness, sight impaired) be provided with appropriate training on how to communicate effectively and with sensitivity to the needs of such electors.</p> <p><u>Government Response</u> Supported.</p>	No	<p>Implementation in progress. An online training package, 'Assisting people who are blind or have low vision' is available to AEC staff.</p> <p>The AEC is currently reviewing and updating its polling staff training material.</p>
22.	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to allow pre-poll votes cast at a pre-poll voting centre in an elector's home division prior to polling day to be cast as ordinary votes, wherever practicable.</p> <p><u>Government Response</u> Supported.</p>	Yes <i>POM Act</i>	Implemented.
23.	<p>The committee recommends that, in order to ensure a continuing high standard of integrity applies to votes cast as home division pre-poll votes, electors who cast ordinary votes at pre-poll voting centres should still be required to sign a declaration at the time of voting, indicating that they are entitled to a pre-poll vote. A record of such declarations is to be kept by the Australian Electoral Commission for evidentiary purposes.</p> <p><u>Government Response</u> Supported.</p>	Yes <i>POM Act</i>	Implemented.
24.	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to require pre-poll votes cast as ordinary votes in an elector's home division prior to polling day to be counted on polling night in the same manner as ordinary votes cast in polling places on polling day, wherever practicable.</p> <p><u>Government Response</u> Supported in part.</p>	Yes <i>POM Act</i>	Implemented.
25.	<p>The committee recommends that schedule 2 of the <i>Commonwealth Electoral Act 1918</i> be amended to provide that being absent or expecting to be absent from an elector's home division on polling day be a valid ground of application for postal or pre-poll voting.</p> <p><u>Government Response</u> Supported.</p>	Yes <i>MOM Act</i>	Implemented.

Rec#	Recommendation	Leg. Change Required (Yes or No)  Relevant Legislation	Status*
26.	<p>The committee recommends that schedule 2 of the <i>Commonwealth Electoral Act 1918</i> be amended to allow fear for personal safety to be a ground for applying for pre-poll or postal votes.</p> <p><u>Government Response</u> Supported.</p>	<p>Yes</p> <p><i>MOM Act</i></p>	<p>Implemented.</p>
27.	<p>The committee recommends that, where possible, the Australian Electoral Commission should, prior to polling day, conduct as much of the preliminary scrutiny of pre-poll and postal votes on hand in home divisions as is possible, in order to increase the number of early votes counted in a timely manner following the close of the polls.</p> <p><u>Government Response</u> Supported.</p>	<p>No</p>	<p>Implemented.</p>
28.	<p>The committee recommends that the Australian Electoral Commission implement its proposed mobile polling and other election services to cater for mine workers in Western Australia for future elections. Such arrangements should also be provided in other states with a large number of mine workers such as Queensland and South Australia.</p> <p><u>Government Response</u> Supported.</p>	<p>Yes</p> <p><i>MOM Act</i></p>	<p>Implementation in progress for next election.</p>
29.	<p>The committee recommends that the definition of 'hospital' and 'special hospital' in the <i>Commonwealth Electoral Act 1918</i> be amended to reflect the current definitions of aged care under the <i>Aged Care Act 1997</i>, and that any person residing or working in a residential aged care facility, including staff, should be able to vote at the mobile polling facility.</p> <p><u>Government Response</u> Supported.</p>	<p>Yes</p> <p><i>MOM Act</i></p>	<p>Implemented.</p>
30.	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to extend the period during which special hospital mobile polling may be conducted, to 12 days before polling day.</p> <p><u>Government Response</u> Supported.</p>	<p>Yes</p> <p><i>MOM Act</i></p>	<p>Implemented.</p>
31.	<p>In order to mitigate against possible accidental multiple voting, the committee recommends that the presiding officer of a mobile polling team be required to provide patients and residents of hospitals or special hospitals who vote with that mobile polling team, with a receipt or letter to indicate that they have, on that date, cast a vote with that mobile polling team.</p> <p><u>Government Response</u> Supported.</p>	<p>No</p>	<p>Implemented.</p>



Rec#	Recommendation	Leg. Change Required (Yes or No)	Status*
		Relevant Legislation	
32.	<p>The committee recommends that where a pre-poll voting centre (which may be a Divisional Returning Office) is to be located within a shopping centre, the Australian Electoral Commission work with shopping centre management to arrange appropriate access by campaign workers during the times where voting is possible, including where appropriate, specifying a requirement as part of its lease arrangements, that provides full access for parties and candidates to conduct their how to vote activities. Where such an arrangement is not feasible, the Australian Electoral Commission should ensure that political parties and candidates are advised of the alternative arrangements to be put in place to allow how to vote material to be made available in these centres.</p> <p><u>Government Response</u> Supported in principle.</p>	No	Implemented.
33.	<p>The committee recommends that, in conjunction with the recommendation removing the requirement for applicant and witness signatures, the postal voting application form:</p> <ul style="list-style-type: none"> <li>• be made simpler and more user-friendly;</li> <li>• be gazetted at least 3 months prior to the expected date of an election where practicable; and</li> <li>• only that section of the form requiring completion by an applicant for a postal vote be gazetted as the approved form.</li> </ul> <p><u>Government Response</u> First dot point: Supported. Second dot point: Supported in principle. Third dot point: Not supported.</p>	No	<p>Dot point 1 - Implemented.</p> <p>Dot point 2 - Implemented.</p> <p>Dot point 3 - Not supported by Government and not implemented.</p>
34.	<p>The committee recommends that the Australian Electoral Commission increase efforts to improve electors' understanding of the federal voting systems and take appropriate measures to reduce the rate of informal voting, especially in electorates with a high percentage of electors from non-English speaking backgrounds.</p> <p><u>Government Response</u> Supported.</p>	No	Targeted activities undertaken in the lead up to the 2010 federal election are outlined at paragraphs 1.1.12 – 1.2.12 of the AEC's Informality submission (submission 87.4) to this inquiry.

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35.	<p>The committee recommends that:</p> <ul style="list-style-type: none"> <li>• Section 240 (2) of the <i>Commonwealth Electoral Act 1918</i>, which provides that the numbers on House of Representatives elections ballot papers are to be consecutive numbers, without the repetition of any number, be repealed, and</li> <li>• the savings provision contained in paragraph 270 (2), repealed in 1998, which provided that in a House of Representatives election in which there were more than three candidates, and where a full set of preferences was expressed on the ballot paper, but there were non-consecutive numbering errors, the preferences would be counted up to the point at which the numbering errors began, at which point the preferences were taken to have 'exhausted', be reinstated to the <i>Commonwealth Electoral Act 1918</i>, and</li> <li>• the Government amend the <i>Commonwealth Electoral Act 1918</i> to provide a penalty provision sufficient to deter the advocacy of 'Langer style voting'.</li> </ul> <p><u>Government Response</u> Noted.</p>	Yes	Government noted recommendation.
36.	<p>The committee recommends that the Australian Electoral Commission adopt all recommendations contained in the report entitled Review of Ballot-Paper Formality Guidelines and Recount Policy prepared for the Australian Electoral Commission by Mr Alan Henderson, except for recommendation A(v) which is the subject of recommendation 37.</p> <p><u>Government Response</u> Supported.</p>	No	Implemented, with the exception of recommendation A(v), which was the subject of recommendation 37.
37.	<p>The committee recommends that section 268(2) of the <i>Commonwealth Electoral Act 1918</i> be amended to provide that in those cases where the Divisional Returning Officer responsible for considering the question of the formality of a ballot paper, is satisfied that the ballot paper is not informal, because the Divisional Returning Officer is satisfied that it is an authentic ballot paper on which a voter has marked a vote, the Divisional Returning Officer be required to annotate the ballot paper with the words 'I am satisfied that this is an authentic ballot paper'.</p> <p><u>Government Response</u> Supported.</p>	Yes  <i>MOM Act</i>	Implemented.
38.	<p>The committee recommends that paragraph 209A(b) of the <i>Commonwealth Electoral Act 1918</i> and paragraph 25A(b) of the <i>Referendum (Machinery Provisions) Act 1984</i> be repealed, and replaced with the words 'a feature approved by the Electoral Commission'.</p> <p><u>Government Response</u> Supported.</p>	Yes  <i>MOM Act</i>	Implemented.

Rec#	Recommendation	Leg. Change Required (Yes or No)  Relevant Legislation	Status*
39.	<p>The committee recommends that the Australian Electoral Commission be resourced appropriately in order that it continue to provide high quality electoral services to the Australian population and to do so in a manner that does not compromise the integrity of the electoral system.</p> <p><u>Government Response</u> Noted.</p>	No	The 2011-12 Budget includes additional one-off funding of \$10 million in 2011-12. This funding is for maintaining the operating capacity of the AEC. The funding was granted conditional to a review being undertaken of the AEC's resourcing. The review is due for completion in time to be considered in the context of the 2012-13 Budget.
40.	<p>The committee recommends that the Australian Electoral Commission be required to continue with staging the National Tally Room at future elections.</p> <p><u>Government Response</u> Supported in principle.</p>	No	The National Tally Room was in operation for the 2010 federal election.
41.	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to provide a flexible regime for the authorisation by the Australian Electoral Commission of approved forms, which will:</p> <ul style="list-style-type: none"> <li>• allow for a number of versions of an approved form;</li> <li>• enable forms to be tailored to the needs of specific target groups; and</li> <li>• facilitate online transactions.</li> </ul> <p><u>Government Response</u> Supported.</p>	Yes  <i>MOM Act</i>	Implemented.
42.	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to enable the Australian Electoral Commission to manage its workloads in non-election periods by allowing enrolment transactions to be processed outside the division for which the person is enrolling, provided that those transactions are processed by a division that is within the same state or territory. This will permit workloads to be managed in the same manner as is currently permitted during election periods.</p> <p><u>Government Response</u> Supported in part.</p>	Yes  <i>POM Act</i>	Implemented.

Rec#	Recommendation	Leg. Change Required (Yes or No)  Relevant Legislation	Status*
43.	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> and the <i>Referendum (Machinery Provisions) Act 1984</i> be amended to enable the use of electronic certified lists in polling places and pre-poll voting centres, with appropriate measures implemented to ensure the security of the equipment and data.</p> <p><u>Government Response</u> Supported.</p>	<p>Yes</p> <p><i>MOM Act</i></p>	<p>Implemented. Systems design in progress.</p>
44.	<p>The committee recommends that the technical and operational changes proposed by the Australian Electoral Commission in submission 169, Annex 10, with the exception of those relating to photographing and photocopying of the roll (s 90A), (see recommendation 52) and prisoner voting (ss 93(8AA), 208(2)(c) and 221(3)) (see recommendation 47), be incorporated into the <i>Commonwealth Electoral Act 1918</i> and <i>Referendum (Machinery Provisions) Act 1984</i> when other amendments to these Acts are progressed.</p> <p><u>Government Response</u> Supported.</p>	<p>Yes</p>	<p>Implemented in part.</p> <p>These legislative amendments have been substantially implemented in Schedules 7 and 9 of the <i>MOM Act</i> and the <i>Statute Law Revision Act 2010</i>, however several amendments are pending further legislation.</p>
45.	<p>The committee recommends that any recommendations in this report that propose amending the <i>Commonwealth Electoral Act 1918</i> should, where also appropriate, be incorporated into the <i>Referendum (Machinery Provisions) Act 1984</i>, to ensure consistency between the provisions applying to elections and referenda.</p> <p><u>Government Response</u> Supported.</p>	<p>Yes</p> <p>All legislative amendments to the <i>Commonwealth Electoral Act 1918</i> based on recommendations of the 2007 JSCEM Report also provided consistent amendments to the <i>Referendum (Machinery Provisions) Act 1984</i>.</p>	<p>Implemented.</p>
46.	<p>The committee recommends that the penalties imposed under s 328 of the <i>Commonwealth Electoral Act 1918</i> (\$1,000 for a natural person and \$5,000 for a body corporate) be revised to ensure that they provide a greater deterrent.</p> <p><u>Government Response</u> Supported.</p>	<p>Yes</p>	<p>Pending relevant legislation.</p>

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47.	<p>The committee recommends that the Government amend the <i>Commonwealth Electoral Act 1918</i> to reinstate the previous three-year disqualification for prisoners removed from s 93(8)(b) in 2006, to reflect the High Court of Australia's judgement in <i>Roach v Australian Electoral Commissioner</i> that s 93(8AA) and s 208(2)(c) are constitutionally invalid.</p> <p><u>Government Response</u> Supported in principle.</p>	<p>Yes</p> <p><i>EPV Act</i></p>	<p>Implemented.</p>
48.	<p>The committee recommends that current provisions of the <i>Commonwealth Electoral Act 1918</i> regarding the eligibility of overseas electors to enrol and vote at elections be retained.</p> <p><u>Government Response</u> Noted.</p>	<p>No</p>	<p>Implemented.</p>
49.	<p>The committee recommends that the Australian Electoral Commission continue to work with organisations representing electors who are blind or have low vision to investigate the viability and sustainability of assisted voting arrangements aimed at providing secret and independent voting for electors who are blind or have low vision.</p> <p><u>Government Response</u> Supported.</p>	<p>Yes</p> <p><i>POM Act</i></p>	<p>Assisted telephone voting was made available as an interim solution for the 2010 federal election. The AEC is now scoping the longer term solution, involving the provision of secret and independent voting services from any telephone.</p>
50.	<p>The committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended so that:</p> <ul style="list-style-type: none"> <li>• where an item in the table in s 90B of the Act entitles a Senator or Member to receive one copy of a roll or certified list, that item be amended to permit the Senator or Member to opt for the relevant copy to be supplied in electronic rather than hardcopy form; and</li> <li>• where an item in the table in s 90B of the Act entitles a Senator or Member to receive three copies of a roll or certified list, that item be amended to permit the Senator or Member to opt to receive one of the copies in electronic rather than hardcopy form, and to receive either zero, one or two hardcopies.</li> </ul> <p><u>Government Response</u> Supported.</p>	<p>Yes</p> <p><i>MOM Act</i></p>	<p>Implemented.</p>
51.	<p>The committee recommends that the current counting system used for Senate elections be retained.</p> <p><u>Government Response</u> Supported.</p>	<p>No</p>	<p>Implemented.</p>

Rec#	Recommendation	Leg. Change Required (Yes or No)	Status*
		Relevant Legislation	
52.	<p>The committee recommends that the current arrangements relating to the provision of electoral roll information to prescribed organisations for the purposes of identity verification under the <i>Financial Transaction Reports Act 1988</i> or carrying out customer identification procedures under the <i>Anti-Money Laundering and Counter-Terrorism Financing Act 2006</i> be retained.</p> <p><u>Government Response</u> Noted.</p>	No	Implemented.
53.	<p>The committee recommends that the current provisions of the <i>Commonwealth Electoral Act 1918</i> relating to the inspection of electoral rolls be amended to explicitly prohibit the unauthorised photographing or photocopying of any roll that is made available for public inspection.</p> <p><u>Government Response</u> Supported.</p>	Yes  <i>MOM Act</i>	Implemented.