

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Finance and Administration Portfolio

Australian Electoral Commission

Estimates 2004-05 –Additional written questions February 2005

Question: F30

Outcome: Australian Electoral Commission

Topic: Penalties for multiple voting under the *Commonwealth Electoral Act 1918*

Hansard Page: F&PA 92

Senator Murray asked:

Have the penalties for multiple voting been raised?

Mr Dacey—The current penalty—and I have to take on notice whether or not it has been raised and when—is 60 penalty units or imprisonment for 12 months or both. One penalty unit is about \$110.

Answer:

Section 339(1C) was inserted by item 93 of the *Electoral and Referendum Amendment (Enrolment Integrity and Other Measures) Act 2004*. This item commenced on 10 August 2004.

Section 339(1C) provides a separate additional offence for *intentional* multiple voting and carries a maximum penalty of 60 penalty units or imprisonment for 12 months, or both. (1 penalty unit = \$110 thus 60 p/units = \$6600)

Prior to this amendment, the penalty for multiple voting was 10 penalty units: s 339(1A). This provision remains in force for non-intentional multiple voting.

Section 339(1D) provides that each additional vote under ss 339(1A) or 339(1C) gives rise to a separate offence but does not require identification of the first (legitimate) vote.