

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
ADDITIONAL BUDGET ESTIMATES 2011-2012

Finance and Deregulation Portfolio

Department/Agency: Australian Electoral Commission

Outcome/Program: 1/1.2

Topic: Correcting evidence

Senator: Ryan

Question reference number: F78

Type of question: Written

Date set by the committee for the return of answer: Friday, 30 March 2012

Number of pages: 1

Question:

In relation to the letter provided to the Committee by Mr Paul Pirani on 17 February 2012, correcting evidence presented to the committee:

What steps has the AEC taken to guarantee that future such instances have a 'paper trail' or record of such conversations between AEC officials and delegates and those lodging declaration forms?

Answer:

As was outlined in the letter of 17 February 2012, the AEC has taken a three pronged approach to address this matter.

First, immediate action has been taken to review the delegations made by the Electoral Commissioner under subsection 319A(1) of the *Commonwealth Electoral Act 1918* (Electoral Act) to ensure that this power is only exercised by experienced and senior officers at Executive Level 2 and above.

Second, all staff involved in the receipt and processing of the various returns required to be lodged under Part XX of the Electoral Act have been reminded of the facility in the AEC system to record the contact that is made with each person who has an obligation to lodge a return so that there is a contemporaneous record of each contact that can be used, if necessary, in enforcement proceedings under section 315 of the Electoral Act. This has also resulted in a revised instruction being issued to relevant staff to ensure that the facility is used to record all relevant contact.

Third, a formal review is underway of the internal general guidance to delegates of the Electoral Commissioner concerning the circumstances where it may be appropriate to exercise the power in subsection 319A(1) as opposed to requiring the person to lodge an amended Donor Return.