

PART III

ELECTORAL AND GOVERNMENT ADVERTISING

Part III of the report looks at proposed legislation that deals expressly with advertising. Consideration of this legislation takes place against the background of concerns about the role that electoral advertising and government advertising can and does have in influencing an electoral outcome. More specifically, the proposed legislation attempts to ensure that electoral or government advertising is not used improperly to manipulate public opinion for political gain.

Although the issues of political advertising and government advertising share some common ground, they are quite distinct matters and for the purposes of this inquiry are treated separately. This Part examines the following Bills:

Electoral advertising

- The Electoral Amendment (Political Honesty) Bill 2000 [2002]. This Bill is concerned with promoting truth in political and electoral advertising, that is in any advertisement used for election purposes. The fundamental objective of the proposed legislation is to ensure that members of the public are not misled or deceived by information disseminated in relation to elections. It proposes to amend the *Commonwealth Electoral Act 1918* to prohibit the printing, publication or distribution of any electoral advertisement containing a statement, purporting to be a statement of fact, that is 'inaccurate or misleading to a material extent'. Under the proposed Bill, the Electoral Commissioner would have the power to request an offending advertisement to be withdrawn or to have a retraction published.

Government advertising

The following two bills deal with preventing the use of government advertising for party political purposes. The content of the advertisements need not be false or misleading to create problems. The main concern of the proposed legislation is to ensure that public money is used for the legitimate purposes of government and not for political advantage.

- Part 2 of the Charter of Political Honesty Bill 2000 [2002] proposes a Government Publicity Committee to monitor and enforce compliance by public authorities with statutory guidelines for government advertising campaigns.
- The Government Advertising (Objectivity, Fairness and Accountability) Bill 2000 adopts a different approach from the Charter of Political Honesty Bill by proposing enforcement through the court system.

Both bills put forward guidelines to be observed in conducting government advertising campaigns.

