

ACT Electoral Commission

ANNUAL REPORT

2011–2012

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ANNUAL REPORT

2011/2012

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Dear Attorney General

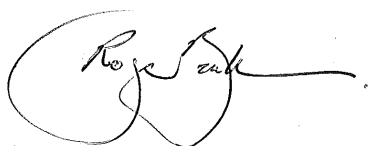
This report has been prepared under section 6(1) of the *Annual Reports (Government Agencies) Act 2004* and in accordance with the requirements referred to in the Chief Minister's Annual Report Directions. It has been prepared in conformity with other legislation applicable to the preparation of this Annual Report.

This Annual Report is a joint report covering the operations of the ACT Electoral Commission and the operations of the Electoral Commissioner and the staff employed to assist the Commissioner. Under the *Electoral Act 1992* and other relevant legislation, the Commissioner exercises some functions independently of the Commission. For simplicity, references in this report to Elections ACT are to be taken to refer to the Electoral Commissioner and his staff.

We hereby certify that the attached Annual Report is an honest and accurate account and that material information on the operations of the ACT Electoral Commission during the period 1 July 2011 to 30 June 2012 has been included and that it complies with the Chief Minister's Annual Report Directions.

The Electoral Commissioner hereby certifies that fraud prevention has been managed in accordance with Public Sector Management Standard 2.

Section 13 of the *Annual Reports (Government Agencies) Act 2004* requires that you cause a copy of the Report to be laid before the Legislative Assembly within 3 months of the end of the financial year.



Roger Beale AO
Chairperson

31 August 2012



Phillip Green
Electoral Commissioner

31 August 2012



Dawn Casey
Member

31 August 2012

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Glossary

ACT	Australian Capital Territory
AEC	Australian Electoral Commission
ALP	Australian Labor Party (ACT Branch)
ANU	Australian National University
ATSIEB	Aboriginal and Torres Strait Islander Elected Body
CALD	Culturally & linguistically diverse
Commission	ACT Electoral Commission
Commissioner	Electoral Commissioner
CPI	Consumer Price Index
CRU	Continuous Roll Update
ECA	Electoral Council of Australia
Elections ACT	The office of the Electoral Commissioner and the staff appointed to assist the Commissioner
Electoral Act	<i>Electoral Act 1992</i>
FOI	Freedom of Information
FOI Act	<i>Freedom of Information Act 1989</i>
Greens	The ACT Greens
Hare-Clark	The proportional representation electoral system used in the ACT
ICT	Information/communication technology
JACS	ACT Justice and Community Safety Directorate
Joint Roll	The common ACT and Commonwealth electoral roll maintained under a formal government-to-government arrangement
LP	Liberal Party of Australia (A.C.T. Division)
MLA	Member of the ACT Legislative Assembly
MOU	Memorandum of understanding
Party	A political party registered under the Electoral Act
Redistribution	A redistribution of electoral boundaries
Referendum Act	<i>Referendum (Machinery Provisions) Act 1994</i>
Shared Services ICT	The ACT Government information technology management agency (previously known as InTACT)
STEC	State and Territory Electoral Commissioners
WH&S	Workplace health and safety



Part A

Performance and financial management reporting

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The organisation

The ACT Electoral Commission is an independent statutory authority established under the *Electoral Act 1992* comprising a Chairperson, the Electoral Commissioner and a Member, with responsibility for the conduct of elections and referendums for the ACT Legislative Assembly and for the provision of electoral advice and services.

It is important to distinguish between the functions of the Commission and the office of the Electoral Commissioner.

The Commission is responsible under the Electoral Act for key over-arching electoral functions, including advising the Minister; conducting education and information programs; providing information and advice to the Assembly, the Executive, agencies, political parties, MLAs and candidates; conducting research; publishing electoral material; providing fee-for-service electoral goods and services; and conducting ballots for prescribed organisations. The Commission is also responsible for undertaking key electoral roles, such as taking part in the electoral boundaries redistribution process; and sitting as a review body where appeals are made challenging decisions made by the Commissioner or the Commissioner's delegates.

The Electoral Commissioner serves in a dual capacity as both a member of the Commission and as a statutory officer holder with independent powers and functions. The Commissioner is the chief executive officer of the Commission. In that role, the Commissioner manages the operations of the Commission under the guidance and direction of the full Commission, and undertakes the Commission's functions as the Commission's delegate. The Commissioner also has specific functions under the Electoral Act and other legislation that are given solely to the Commissioner. These include responsibility for most of the procedures related to the conduct of ACT Legislative Assembly elections, as well as registration of political parties and administering the election funding, expenditure and financial disclosure scheme.

The Commissioner is assisted by staff employed under the *Public Sector Management Act 1994* and under the Electoral Act. For simplicity, the office of the Commissioner and the Commissioner's staff are referred to under the operating title of Elections ACT. The Commissioner and the staff of Elections ACT perform functions that are the responsibility of the Commissioner and perform some functions on behalf of the Commission.

The Attorney General is the Minister responsible for electoral matters and the Commission is included in the Justice and Community Safety portfolio for administrative purposes. The Commission is included in Output Class 1.6 – Electoral Services.

The Commissioner and the then Department of Justice and Community Safety entered into a Memorandum of Understanding in 2009 that defines areas of responsibility and assistance between the two agencies. In particular, the Memorandum of Understanding clearly delineates the statutory independence of the Commission and the Commissioner in the conduct of their respective roles under the legislative framework, described in the next section. The MOU continues to have effect under the administrative arrangements that took effect in June 2011 (whereby directorates replaced departments).

Legislative framework

The Commission is responsible for the conduct of elections and referendums and for the provision of electoral advice and services under the following legislation:

- ◇ *Electoral Act 1992*;
- ◇ *Electoral Regulation 1993*;
- ◇ *Referendum (Machinery Provisions) Act 1994*;
- ◇ *Proportional Representation (Hare-Clark) Entrenchment Act 1994*; and
- ◇ *Aboriginal and Torres Strait Islander Elected Body Act 2008*.

Organisational structure

The ACT Electoral Commission consists of a Chairperson, the Electoral Commissioner and a third Member.

Table 1 – Members of the ACT Electoral Commission

Mr Roger Beale AO <i>Chairperson</i> Reappointed until 28 February 2017
Mr Phillip Green <i>Electoral Commissioner</i> Reappointed until 31 March 2015
Ms Dawn Casey <i>Member</i> Appointed until 30 September 2015

Note: This table shows appointments in force on 30 June 2012.

The 3 Members of the Commission are appointed by the Executive under the Electoral Act. As chief executive officer of the Commission, the Electoral Commissioner is remunerated as a full-time office holder. The Chairperson and the other Member of the Commission are remunerated as part-time office holders. Remuneration for all 3 Members is determined by the Remuneration Tribunal.

During the 2011/2012 year, the appointment of the Chairperson, Mr Roger Beale AO, was extended for a further 5 years, until 28 February 2017.

The current Electoral Commissioner, Mr Green, is appointed to this position until 31 March 2015, and the Member, Ms Dawn Casey, is appointed to this position until 30 September 2015.

The Electoral Commissioner has director-general powers under the Public Sector Management Act in relation to staff employed to assist the Commissioner. These staff, acting under the direction of the Commissioner, have been brought together under the operating title Elections ACT.

The Commissioner may also employ casual staff and engage consultants under the Electoral Act, on terms and conditions determined by the Commission after consultation with the Executive.

The Commissioner was assisted throughout 2011/2012 by 5 officers employed under the Public Sector Management Act.

From time to time, other staff are employed to assist the Commissioner as necessary. These include officers employed under the Public Sector Management Act and the Electoral Act and officers seconded from other organisations.

For more information on the Elections ACT staff positions see **Staffing Profile** on page 70.

Elections ACT's mission

Elections ACT's mission is:

To provide the ACT community with high quality electoral services that ensure fair and open elections and referendums.

Elections ACT also provides services to a wide and diverse range of clients, including the Attorney General, Members of the Legislative Assembly, political parties, election candidates, ACT Government agencies, the media and special interest groups.

Elections ACT's most important function is to conduct elections for the Legislative Assembly. The next election is due to be held on 20 October 2012.

Some of the other tasks carried out by Elections ACT include electoral education, maintaining the register of political parties and the funding and disclosure scheme, assisting with redistributions of electoral boundaries, working with other electoral authorities to improve the accuracy of the electoral roll and providing electoral services to other organisations on a fee-for-service basis.

Elections ACT Corporate Plan 2009-2013

MISSION	
To provide the ACT community with high quality electoral services that ensure fair and open elections and referendums.	
Goal 1	To conduct high quality elections and referendums
Key result areas:	1.1 Elections for the ACT Legislative Assembly
	1.2 Election and referendum services to other agencies
Goal 2	To provide high quality electoral information, education, advice and services
Key result areas:	2.1 Electoral information and advice
	2.2 Electoral enrolment
	2.3 Electoral education
	2.4 Other electoral statutory requirements
Goal 3	To support high quality electoral services by effective management
Key result areas:	3.1 Human resources management
	3.2 Financial management
	3.3 Records management
	3.4 Information/communication technology management

The *Corporate Plan 2009-2013* is underpinned by more detailed operational plans.

Performance indicators

Formal budget paper performance indicators

There are 3 performance indicators listed in the budget papers for Output 1.6 – Electoral Services within the JACS directorate. Two of these relate to Legislative Assembly elections, and measure voter turnout at Assembly elections and timely finalisation of Assembly election results. As 2011/2012 was not a Legislative Assembly election year, there is no formal reporting against these indicators in the 2011/2012 Budget Papers for Output 1.6 – Electoral Services. A third performance indicator reflects the Commission's ongoing activity, and formally reports on the participation of eligible electors on the electoral roll.

This performance indicator measures the percentage of electors on the electoral roll compared to those eligible to be enrolled. This performance indicator is effectively a measure of the net result of the efforts of Elections ACT and the to facilitate the compulsory enrolment of eligible electors.

The percentage of electors on the roll compared to the number eligible is reported in detail under **Key Result Area 2.2 Electoral Enrolment** from page 33.

Table 2 – Performance indicators included in budget papers

Accountability indicator	Measures	Target for 2011/2012	Outcome at 30 June 2012
High level of voter turnout at ACT Legislative Assembly elections ¹	Participation rate	n/a	n/a
Timely finalisation of election result of Legislative Assembly election ¹	Date of announcement of election result	n/a	n/a
High level of electoral enrolment	Participation rate	>95% of eligible population	Enrolment was 92.5% of eligible population ²

Note 1: - These measures only apply in an election year. They will be next reported against in 2012/2013.

Note 2: - Eligible elector population (EEP) is calculated every quarter by the Australian Electoral Commission, using base data provided by the Australian Bureau of Statistics and applying a method developed by the AEC in conjunction with the ABS. The EEP is an estimate of the number of persons who are eligible to be enrolled at any point in time, and is calculated using post-censal estimates based on the latest census data updated by birth and death registrations, and estimated interstate and overseas migration. The estimate is recalculated after each census and previous EEP estimates revised accordingly.

It can be noted that the outcome as at 30 June 2012 – with 92.5% of the eligible population on the electoral roll – is below the target of 95%. On 30 June 2011, the outcome was 94.6% of the eligible population. The fall in the percentage reflects the trend for the level of enrolment to decline in the years between elections. The increase from 93.6% to 94.6% between 2010 and 2011 can be mostly attributed to the federal election held in August 2010. It can be expected that the percentage enrolled will increase as the 2012 ACT election approaches, and the Commission's information campaign for the 2012 election commences. The outcome for 30 June 2009, in the same reporting year as the 2008 ACT election, was 97.0%. Nevertheless, these figures highlight an apparent trend for the level of enrolment to be in decline generally. See further discussion about electoral enrolment at **Completeness and accuracy of the ACT electoral roll** from page 33.

In-house performance indicators

The Commission considers that it is worthwhile to maintain an extended set of performance indicators for in-house use and for annual reporting purposes. Set out below are the Commission's in-house performance indicators. Discussion of the Commission's performance against each of these measures is included in the **Analysis of agency performance** from page 16 to 56.

Goal 1 – Elections and referendums		
Objectives	Measures	Outcomes
Increase voter turnout at Legislative Assembly elections	Participation rates	Turnout 2008 election: 90.4% Turnout 2004 election: 92.8% Turnout 2001 election: 90.9%
Deliver service within timeline targets	Timelines met ¹	All timelines met.
Increase formal voting at Legislative Assembly elections	Formal voting rates	Formal voting 2008 election: 96.2% Formal voting 2004 election: 97.4% Formal voting 2001 election: 96.0%
Goal 2 – Information, education, advice and services		
Objectives	Measures	Outcomes
Maintain high client satisfaction	Feedback from clients/electors	All electoral education and fee-for-service election clients expressed satisfaction.
Manage registration of political parties	Statutory requirements met	Statutory requirements met.
Redraw electoral boundaries for each election	Statutory requirements met	A redistribution of electoral boundaries commenced in January 2011 and concluded in October 2011. All relevant statutory requirements were met.
Goal 3 – Effective management		
Objectives	Measures	Outcomes
Manage costs within budget allocations	Budget met	Expenditure was \$0.016 mil over budget allocation for 2011/2012.
Maintain high staff satisfaction	Performance management feedback	High staff satisfaction reported in 2011/2012.
Manage and improve IT business systems	Absence of IT business systems failures	No ICT business systems failures.

Note 1: Elections ACT's timeline targets are:

- ◇ *All statutory deadlines will be met.*
- ◇ *Election results will be finalised:*
 - *For general elections and referendums for the ACT Legislative Assembly (where a recount is not needed): within 14 days from polling day;*
 - *For general elections and referendums for the ACT Legislative Assembly (where a recount is needed): within 21 days from polling day;*
 - *For a count back to fill a casual vacancy in the Legislative Assembly: within 1 week from the date applications to contest the vacancy close; and*
 - *For other elections and referendums where the ACT Electoral Commission is responsible for providing election results: within 1 week from the close of the poll.*

Overview

The Commission and the Commissioner are independent statutory office holders appointed under the Electoral Act. The operational framework of the Commission and the office of the Commissioner is prescribed by the legislation codifying the functions of the Commission and the Commissioner.

The Commission's most important function is to conduct elections for the ACT Legislative Assembly election. An election for the Assembly was held on 18 October 2008. The next Assembly election is due to be held on 20 October 2012.

Preparation for the 2012 election continued as a major focus of the Commission and Elections ACT in 2011/2012. During the year the re-development of the Elections ACT ICT systems to be used for the 2012 election neared completion, with all elements in stages of testing at 30 June 2012. In addition, netVote, the Commission's on-line voting system, used for ACT government agency enterprise agreement ballots, was completed and successfully deployed for the 2011/2012 round of ballots.

Another major election preparation activity that was completed during the year was the quadrennial redistribution of electoral boundaries. The redistribution commenced in January 2011 and on 5 May 2011 the Redistribution Committee made a proposed redistribution, calling for objections to the proposal. The Augmented Electoral Commission held a public hearing on the objections on 24 June 2011. At the start of the reporting period, the Augmented Electoral Commission was considering the objections before itself proposing a redistribution in July 2011. As this redistribution proposal was substantially different to the original proposal, the Augmented Commission invited objections to this new proposal. The Augmented Commission held a further public hearing into these objections. The redistribution process concluded in September 2011 when the Augmented Commission made its final determination.

While the Commission's and Elections ACT's largest and most visible roles are the conduct of Legislative Assembly elections and the determination of electorate boundaries, the Commission and Elections ACT have a wide range of functions that provide challenging work at all stages of the election cycle.

These functions include providing advice to Government and others, conducting minor elections, electoral education, administering the political disclosure scheme, maintaining the register of political parties and, together with other electoral authorities, maintaining the electoral roll.

During the year the Commission assisted Government to progress the recommendations made by the Standing Committee on Justice and Community Safety in its report on its review into campaign finance laws. The Commission provided advice to the Attorney General and to non-Government MLAs in relation to several electoral campaign finance amendment bills introduced in the Legislative Assembly, including a Government bill and two private Member's bills. The Attorney General's bill, the Electoral Amendment Bill 2012, was passed by the Assembly on 10 May 2012, and took effect from 1 July 2012. This bill introduced wide-ranging reforms to the ACT's campaign finance regulation, including caps on donations and expenditure related to ACT elections.

Highlights

Two main areas of focus for the Commission and Elections ACT in 2011/2012 were the continuing work on the planning and preparation for the 2012 Legislative Assembly election and assisting the Redistribution Committee and Augmented Electoral Commission in completing the process of redistributing the ACT electorate boundaries. A major new body of work commenced in 2011/2012, with the Legislative Assembly adopting significant campaign finance reforms.

The Standing Committee on Justice and Community Safety presented a report on its inquiry into campaign finance reform in September 2011. In November 2011, Mrs Dunne MLA presented a private Member's bill which included elements of the report's recommendations. In February 2012 the Government presented its own campaign finance reform bill, the Electoral Amendment Bill 2012. The Government's bill was passed by the Assembly on 10 May 2012, with a date of effect of 1 July 2012. These reforms resulted in considerable activity for the Commission, including advising the Government and non-government MLAs on the proposed amendments to the Electoral Act, and in preparing for commencement of the new provisions on 1 July 2012.

The redistribution of electoral boundaries that commenced in January 2011 was completed in September 2011. Following its consideration of public objections to the proposal published by the Redistribution Committee on 5 May 2011, the Augmented Electoral Commission published its own proposed redistribution on 8 July 2011. A public hearing into objections to this proposal was held on 31 August 2011. The final determination of the ACT Legislative Assembly electoral boundaries by the augmented Electoral Commission took effect on 30 September 2011.

Another major activity undertaken in preparation for the 2012 election was continuing the 4-year re-development of Elections ACT ICT election systems, for which funding commenced in the 2009/2010 Budget. This is a major project with the objective of having the updated systems in place for the 2012 election. Work undertaken during the year on these systems included:

- ◇ Finalising and testing the upgrade of eVACs®, the electronic voting and counting system;
- ◇ Finalising and commencing testing of the integrated polling place management system that will include a new electronic roll mark-off system, ballot paper reconciliation tool and vote count transmission facility;
- ◇ Finalising and commencing testing of a new election results display system, including the tally room display;
- ◇ Upgrading and commencing testing of the ballot paper scanning system;
- ◇ Upgrading the Elections ACT in-house suite of election management databases;
- ◇ Implementing the netVote system, an online ballot system to assist in the conduct of fee-for-service enterprise agreement ballots – using the system for the 2011/2012 round of enterprise agreement ballots for ACT government agencies;
- ◇ Developing an online system for recruiting and training polling officials; and
- ◇ Redeveloping, testing and implementing the online system for applying for postal votes.

As the count-down to the October 2012 election progressed, Elections ACT staff commenced the many processes required to be completed in an election year, including arranging accommodation for the Commission's expanded election year operation, hiring polling venues, purchasing equipment and arranging for the recruitment of temporary staff. In June 2012 the Commission temporarily moved its offices to larger accommodation at 41 Rae Street, Belconnen.

The Commission also reviewed its election information campaign to give it a more contemporary look, while maintaining the theme of "Shaping Canberra's future" as used in past campaigns.

A milestone in the ACT's electoral history occurred in May 2012, with electoral enrolment passing the 250,000 mark for the first time.

Another feature of the year preceding an election year is the 30 June deadline for registering new political parties and for changing the names of existing parties. In the lead up to the 30 June 2012 deadline, the Electoral Commissioner received 2 applications for a change to the register of political parties and 3 applications to register new political parties. As the 3 applications to register a party were received in the week before the 30 June deadline, none of those applications were finalised before the end of the reporting period.

The Assembly passed the *Electoral Legislation Amendment Act 2012* on 16 February 2012 giving effect to a number of the recommendations of the Commission's 2008 election report.

The ACT Legislative Assembly Standing Committee on Administration and Procedure concluded its inquiry into the feasibility of establishing the position of Officer of the Parliament as it might relate to the Auditor-General, the Ombudsman, the Electoral Commissioner and other statutory office holders. The Commission made a submission to this inquiry on 20 July 2011. The report of the inquiry recommended that the Auditor-General be made an officer of the Parliament, but not the Electoral Commissioner at this time, recommending that the matter be reviewed later.

The ACT Legislative Assembly Standing Committee on Administration and Procedure also commenced an inquiry in December 2011 into the review of the *Australian Capital Territory (Self-Government) Act 1988*. The Commission made a submission to this inquiry in March 2012. The Electoral Commissioner appeared before a public hearing regarding this inquiry on 11 May 2012. The Committee had not published its report on this inquiry before the end of the reporting period.

Elections ACT continued its usual electoral education, non-parliamentary election and CRU programs in 2011/2012.

Other projects undertaken included:

- ◇ Conducting further audits of compliance with the financial disclosure scheme;
- ◇ Providing advice to Government and Members of the Legislative Assembly on electoral matters as required;
- ◇ Pursuing Continuous Roll Update (CRU) initiatives, including obtaining data from a comprehensive range of ACT agencies;
- ◇ Continuing to work with the Australian Electoral Commission (AEC) and the Electoral Council of Australia (ECA) to improve electoral roll maintenance procedures;
- ◇ Progressing research on electoral matters, including taking a lead role in developing joint electoral research projects with other ECA members;

- ◇ Continuing the schools based electoral education program;
- ◇ Continuing the review and update of the Commission's information resources, including its printed resources and the Elections ACT website;
- ◇ Continuing the Commission's fee-for-service non-parliamentary election program, conducting 17 enterprise agreement ballots for ACT government agencies, 2 ballots for the Australian National University and another 2 miscellaneous ballots;
- ◇ Providing pre-poll voting facilities for 4 interstate by-elections, 2 Tasmanian Legislative Council elections, and the New Zealand general election;
- ◇ Updating the Elections ACT workplace health and safety risk management plan; and
- ◇ Providing a full-time electoral inquiry service over the counter, by phone, by email and by post.

Outlook

The principal focus for the Commission and Elections ACT during 2012/2013 will be finalising preparations for, and the conduct of, the 20 October 2012 Legislative Assembly election.

Important among the preparations for the 2012 election will be the final testing and implementation of the re-developed Elections ACT ICT election systems. These systems include:

- ◇ the electronic voting and counting system (eVACs®);
- ◇ the integrated polling place management system, including a new electronic roll mark-off system, ballot paper reconciliation tool and vote count transmission facility (eLAPPS);
- ◇ the election results display system (ERDS);
- ◇ the ballot paper scanning system;
- ◇ the Elections ACT in-house suite of election management databases (TIGER);
- ◇ the online systems for recruiting and training polling officials; and
- ◇ the online system for applying for postal votes.

In addition, a range of election processes will be undertaken, including:

- ◇ making arrangements for polling venues, staff and materials;
- ◇ finalising and conducting the election information and education campaign, including use of social media;
- ◇ making arrangements with ACT government agencies for provision of services, including:
 - Canberra Connect for phone and counter enquiry and post-election, non-voter penalty payment services;
 - Shared Services Information and Communication Technology (ICT) for provision of ICT hardware, connectivity and expert advice;
 - Shared Services Human Resources for payment of casual and temporary staff;
 - Publishing Services for assistance with the information campaign and printing; and
 - Shared Services Procurement for contractual advice;
- ◇ briefing media, parties and candidates on election matters generally, and particularly the new election funding, expenditure and financial disclosure provisions;
- ◇ arranging for the printing of ballot papers and electronic voting barcodes, including a new security printing method for ballot papers;
- ◇ taking nominations of candidates and conducting the draw for positions on ballot papers;
- ◇ conducting pre-poll voting at 6 locations in Canberra, using electronic voting;
- ◇ arranging for the State and Northern Territory electoral commissions to conduct pre-poll voting at their offices in each capital city;

- ◇ conducting postal voting, for electors unable to attend a polling place or pre-poll centre, including for electors interstate and overseas;
- ◇ conducting polling at around 80 locations on polling day, 20 October 2012;
- ◇ conducting the scrutiny of votes to determine the election outcome, using a combination of electronic voting and counting system (eVACs®) and scanning of paper ballots; and
- ◇ declaring the poll to elect 17 Members to the eighth Legislative Assembly of the Australian Capital Territory.

The Commission will again conduct and report on a review of the election. It is anticipated that the report would be presented to the Attorney General around mid-2013.

The Commission will also implement the new campaign finance laws that commenced on 1 July 2012. This will involve preparation of new forms and information manuals, development of on-line systems for receipt and display of disclosure returns, and auditing of compliance with the campaign finance laws. Additional budget funding was provided in the 2012/2013 budget to enable the Commission to develop these new systems and for additional audit capacity. Budget funding was also provided to enable the Commissioner to recruit an additional two staff members for 2012/2103 and 2013/2014. The Commission intends to conduct a detailed review of the ACT's campaign finance laws after the 2012 election.

The Commission will review its 2009-2013 Corporate Plan and develop its plan for the period 2013-2017.

During 2012/2013 the Commission will continue to provide advice to Government and Members of the Legislative Assembly on electoral matters as required. Elections ACT will also continue its usual program of conducting fee-for-service elections and provision of electoral education and information services to the ACT community.

As the current ACT government agency enterprise agreements expire at the end of June 2013, it is possible that the agreement ballots may commence towards the end of the 2012/2013 reporting year. It is anticipated that the Commission's netVote system will be again employed for most of these ballots.

A new development in Commonwealth electoral law that will impact on the ACT will take place after the October ACT election. Changes to the Commonwealth Electoral Act in 2012 will permit the Australian Electoral Commission to directly enrol new electors and update the enrolment of existing electors using trusted data sources, without the electors being required to take action. This development follows recent similar changes introduced at the State level in New South Wales and Victoria. It has the potential to significantly alter the way in which the electoral roll is maintained throughout Australia and may lead to considerable improvements in the accuracy and completeness of the roll in the ACT. The Commission will work closely with the AEC and the ECA to ensure the successful implementation of this new way of maintaining the electoral roll.

Management discussion and analysis

This section of the report is intended to provide a high level narrative of the financial results and financial health of the Commission. These matters are the responsibility of the Electoral Commissioner, exercising delegations made under the *Financial Management Act 1996* by the director-general of the JACS portfolio. The Commission, however, also has an interest in the adequacy or otherwise of the budget to the extent that it enables the Commission's functions to be met.

The Commissioner's total expenditure in 2011/2012 under the normal Elections ACT operating budget was approximately \$1.337 mil. Details of the Commission's budget and expenditure are included in Table 3 on page 14. In addition, capital funding of \$0.584 mil was spent on the upgrade of the Elections ACT ICT systems.

Increasing cost pressures from unfunded salary increases and the rising cost of the joint electoral roll led to the Commissioner successfully seeking additional funding from Government for the 2010/2011 Budget process. This resulted in an increase in the Commissioner's recurrent budget from 2011/2012, and the inclusion in the Budget's forward year projections of an increased base election budget for the conduct of the 2012 Legislative Assembly election.

The funding provided to the Commissioner is broken down into expenditure on "variable" and "fixed" items. The Commissioner has direct control over the variable expenses component, with JACS managing the fixed expenses relating to Elections ACT. Variable expenditure includes salaries, overtime, allowances, leave, superannuation and the operational costs of Elections ACT. Fixed expenses include workers' compensation, office accommodation, cleaning, utilities, insurance and depreciation.

The total operating result for Elections ACT for 2011/2012 was a deficit of \$0.187 mil. This result was around \$0.032 mil higher than originally estimated for the year. The Electoral Services budget was projected to be in deficit by \$0.155 mil in 2011/2012. The ACT Government's financial framework provides appropriation funding for operating purposes on a cash needs basis and up-front funding for capital purchases through capital injection appropriation. Consequently, consistent with the ACT's financial framework, Electoral Services has been shown as having an operating loss where it has non-cash items such as depreciation and leave liability.

Net total revenue received was around \$0.006 mil less than originally estimated. This slight decrease in revenue resulted from the Commissioner requesting a roll-over to 2012/2013 of \$0.029 mil, to cover costs carried over to the election year, including election ICT support services and a mail-out to electors in Crace and Palmerston who would be moving electorates as a result of the redistribution. This decrease was partially offset by an increase of \$0.023 mil in revenue from fees for services. The request to roll over funds to 2012/2013 was made when the Commissioner estimated that Elections ACT would be within budget for 2011/2012.

However, when final advice of the end-of-financial-year budget reconciliation was received from JACS, variable expenditure (that part of the Electoral Services budget over which the Commissioner has direct control) was over the budget allocation by approximately \$0.028 mil. This result in variable expenditure was due to a higher annual leave and long service leave liability calculation than expected, and to \$0.012 mil incorrectly billed to the Commissioner under the Shared Services ICT service level agreement. This amount was overcharged in error and will be re-credited to Elections ACT in 2012/2013. Consequently the actual amount by which the Commissioner was over budget in 2011/2012 was \$0.016 mil. The Commissioner expects to reduce the Elections ACT leave liability when the October 2012 election is complete, when staff will be able to take their accrued leave.

Fixed expenses equalled budget allocation.

Financial report

The Commission does not have financial reporting obligations under the Financial Management Act. The Commission is included in the JACS portfolio for budgetary purposes. In the JACS administrative structure for 2011/2012, the Commission was included in Output Class 1.6 – Electoral Services.

The financial transactions for the Commission for the year ending 30 June 2012 are formally reported in the consolidated financial statements of the JACS Annual Report. The Commission's financial results have been audited for the purposes of the *Audit Act 1989* as part of the JACS portfolio.

Table 3 shows the operating costs of the Commission for the reporting year for information purposes only. This table should be read in conjunction with the JACS financial statements shown in its Annual Report. The table does not include JACS corporate overheads charged to electoral services.

services.

Table 3 – Financial summary for 2011/2012

ACT Electoral Commission	Budget \$'000	Actual Outcome \$'000
Revenue		
Government Payment for Outputs	1,137	1,108
Other Revenue	19	42
Total Revenue	1,156	1,150
Expenses		
Employee Expenses	599	648
Superannuation	94	95
Administration Expenses	455	434
Depreciation	163	160
Total Expenses	1,311	1,337
Operating Result	-155	-187

The Commission received recurrent initiative funding of \$0.094 mil in 2011/2012 to cover costs associated with the redistribution and election readiness. The Commission requested that \$0.029 mil of this allocation be rolled over into the 2012/2013 budget. This was due in part to a delay in expenditure on IT support costs related to the ACT Legislative Assembly election, and a decision to delay the notification of Crace and Palmerston residents about the change of electoral boundaries until closer to the election. The rolled over amount is reflected in the actual government payment for outputs and the administration expenses set out in Table 3.

In 2009/10, the Commission received capital funding of \$1.373 mil over 4 years for the upgrade of its election ICT systems for the 2012 Legislative Assembly election. Funding in 2009/10 was \$0.322 mil with expenditure of \$0.180 mil. Funding in 2010/11, including funds rolled over from 2009/10, was \$0.556 mil. Expenditure for 2010/11 was \$0.278 mil, with unexpended funds rolled over to 2011/12. Funding in 2011/12, including funds rolled over from 2010/11, was \$0.612 mil. Expenditure for 2011/12 was \$0.584 mil, with unexpended funds rolled over to 2012/13. It is anticipated that all systems will be completed within budget and used for the 2012 election.

Additional funding was sought by Elections ACT in the 2012/2013 budget process for implementing the new campaign finance laws that came into effect on 1 July 2012. The 2012/2013 budget included additional funding for electoral services to cover additional staff costs for 2012/2013 and 2013/2014, the cost of implementing on-line reporting of disclosures, and funds to cover the increase in election public funding and the new administration fund for MLAs. As at 30 June 2012 the 2012/2013 budget had not been debated or passed by the Assembly.

Statement of performance

The Commission is not required to prepare an annual statement of performance under the Financial Management Act.

Discussion of the Commission's performance indicators is included in this report under **Performance indicators** on page 5 and under **Analysis of agency performance** from page 16 to 56.

Strategic indicators

Reporting against strategic indicators is included in the JACS Annual Report. The JACS strategic indicators do not relate directly to electoral services.

Analysis of agency performance

This section reports on activities undertaken in each key result area in 2011/2012 to achieve the Commission's goals.

Goal 1 - To conduct high quality elections and referendums

Performance indicator summary

Objectives	Measures	Outcomes
Increase voter turnout at Legislative Assembly elections	Participation rates	Turnout 2008 election: 90.4% Turnout 2004 election: 92.8% Turnout 2001 election: 90.9%
Deliver service within timeline targets	Timelines met	All timelines met.
Increase formal voting at Legislative Assembly elections	Formal voting rates	Formal voting 2008 election: 96.2% Formal voting 2004 election: 97.4% Formal voting 2008 election: 96.0%

KEY RESULT AREA 1.1

ELECTIONS FOR THE ACT LEGISLATIVE ASSEMBLY

The conduct of the 2008 ACT Legislative Assembly election

After each general election for the ACT Legislative Assembly, the Commission produces a formal report on the conduct of the election and the operation of the electoral legislation. The Commission's review of the conduct of the October 2008 Legislative Assembly election was provided to the Attorney General on 17 September 2009 and tabled in the Legislative Assembly on 15 October 2009.

Copies of the Commission's report can be obtained from the Elections ACT website at **www.elections.act.gov.au/publications/election_specific_publications**.

The report provides reporting on and analysis of the conduct of the election. In addition to reporting on the conduct of the 2008 election, the report makes recommendations for changes to electoral legislation with a view to preparations for and the conduct of the 2012 ACT Legislative Assembly election.

On 31 March 2011, the Attorney General presented two bills in the ACT Legislative Assembly: the Electoral Legislation Amendment Bill 2011 and the Electoral (Casual Vacancies) Amendment Bill 2011. These bills included a range of measures intended to give effect to some of the recommendations put forward by the Commission in its report on the conduct of the 2008 election. These bills are discussed below under **Electoral legislation** from page 29.

In presenting these two electoral legislation amendment bills on 31 March 2011, the Attorney General also proposed that the bills and the Commission's report on the 2008 election be referred to the Standing Committee on Justice and Community Safety for inquiry and review. The Assembly agreed to refer these two bills and the Commission's report to the Committee on 7 April 2011.

Both the Commission and the Attorney General provided submissions to this inquiry in June 2011.

The Committee presented its report number 8, titled *ACT Electoral Commission Report on the ACT Legislative Assembly Election 2008 and Electoral Act amendment Bills 2011*, in October 2011. This inquiry is discussed further below under **Advice** at page 25.

The Committee recommended that all clauses of the Electoral Legislation Bill 2011 be supported with the exception of clauses 7 and 8. These clauses limited each party to only being able to nominate up to the number of candidates to be elected in each electorate.

The Committee also recommended that pre-poll voting be restricted to the period commencing 2 weeks before polling day. A majority of the Committee recommended that the Electoral (Casual Vacancies) Amendment Bill 2011 be supported. The outcome of the debate on the Electoral Legislation Amendment Bill 2011 and the Electoral (Casual Vacancies) Amendment Bill 2011 is discussed under **Electoral Legislation** on page 30.

Preparations for the 2012 ACT Legislative Assembly election

A major area of focus for the Commission and Elections ACT in 2011/2012 was the planning and preparation for the 2012 Legislative Assembly election.

One of the major activities undertaken in preparation for the 2012 election was continuing the 4-year re-development of Elections ACT ICT election systems, for which funding commenced in the 2009/2010 Budget. Work undertaken during the year on these systems included:

- ◇ Finalising and testing the upgrade of eVACs®, the electronic voting and counting system;
- ◇ Finalising and commencing testing of the integrated polling place management system, including a new electronic roll mark-off system, ballot paper reconciliation tool and vote count transmission facility;
- ◇ Finalising and commencing testing of a new election results display system, including the tally room display;
- ◇ Upgrading and commencing testing of the ballot paper scanning system;
- ◇ Upgrading the Elections ACT in-house suite of election management databases;
- ◇ Implementing the netVote system, an online ballot system to assist in the conduct of fee-for-service enterprise agreement ballots – using the system for the 2011/2012 round of enterprise agreement ballots for ACT government agencies;
- ◇ Developing and testing an online system for recruiting and training polling officials; and
- ◇ Redeveloping, testing and implementing the online system for applying for postal votes.

An issue arose in 2012 relating to the ballot paper scanning system. The Commissioner had signed a contract in October 2011 with SEMA Group Pty Ltd, for re-use of the scanning system deployed at the 2008 election. However, SEMA advised in May 2012 that it had gone into voluntary administration, putting in doubt the use of the system for the election. In July 2012 the Commissioner was notified of a successful takeover of the scanning services arm of SEMA and the contract was novated to this new provider, SEMA Holdings Pty Ltd. The Commissioner is confident that the new provider will fulfil all aspects of the contract satisfactorily.

More detail on the progress of the work on the Commission's election ICT systems is listed under **Key result area 3.4 – Information/communication technology management**, on page 55.

During the year Elections ACT staff regularly consulted the detailed project plan for the 2012 election, ensuring that progress of planning and implementation was on target. This is a complex plan prepared before every ACT election, listing all the activities that must be undertaken to conduct a successful election. In particular, this plan assists Elections ACT staff to schedule the many processes that must be completed in the months leading up to the election period. During 2011/2012, Elections ACT staff commenced many of those processes, including arranging accommodation for the Commission's expanded election year operation, hiring polling venues, purchasing equipment and arranging for the recruitment of temporary staff. These and many other processes will be completed in 2012/2013.

The Commission also reviewed its election information campaign to give it a more contemporary look, while maintaining the theme of "Shaping Canberra's future" as used in past campaigns. For the first time in an Elections ACT information campaign, social media will be used in the lead up to the election, particularly to catch the interest of young people. This review was continuing at the end of the reporting period.

KEY RESULT AREA 1.2

ELECTION AND REFERENDUM SERVICES TO OTHER AGENCIES

Elections ACT's program of providing election and referendum services for other organisations continued in 2011/2012.

Interstate elections

Elections ACT provided over-the-counter pre-poll voting, postal vote applications, postal ballot papers and enquiry services for interstate and New Zealand electoral authorities in 2011/2012. Details of these elections are shown in Table 4.

No additional costs were incurred by Elections ACT in providing these services.

Issuing votes and handling enquiries for other electoral jurisdictions at election times provide valuable opportunities for training and benchmarking between jurisdictions.

Table 4 – Interstate and international elections

Election	Polling day	Assistance provided	Votes
New South Wales by-election - Clarence	19/11/2011	Pre-poll voting	0
New Zealand general election	26/11/2011	Pre-poll voting	30
South Australian by-elections - Port Adelaide and Ramsay	11/02/2012	Pre-poll voting	3
Victorian by-election - Niddrie	24/03/2012	Pre-poll voting	2
Tasmanian Legislative Council elections - Hobart and West Tiers	4/05/2012	Pre-poll voting	1
Total			36

Statutory and fee-for-service elections

In addition to elections for the ACT Legislative Assembly, the Electoral Commissioner is, in accordance with ACT statutes, required to conduct elections for statutory bodies.

Aboriginal and Torres Strait Islander Elected Body elections

The *Aboriginal and Torres Strait Islander Elected Body Act 2008* provides for the conduct of elections for the Aboriginal and Torres Strait Islander Elected Body every 3 years. The first election for the Elected Body was held from May to July in 2008. The second election for the Elected Body was held from April to May in 2011. The next election is due in 2014.

Fee-for-service electoral services

Elections ACT conducts elections and provides other electoral services for other organisations under the Commission's power to provide services for determined fees.

A significant ICT project implemented in 2011/2012 by Elections ACT was netVote, an online voting system for use by Elections ACT when running fee-for-service elections for ACT organisations. Work on this system commenced in 2009/2010. The first phase of development centred on creating a system capable of hosting simple "yes/no" ballots for ACT government enterprise agreement ballots. If funding permits, a second phase development could see the system extended to cater for online ballots involving candidates. netVote was used for the first time in live ACT government enterprise agreement ballots in 2011/2012. Table 6 indicates the fee-for-service ballots conducted by Elections ACT in 2011/2012 using netVote.

Australian National University elections

Elections ACT assisted with the Australian National University (ANU) Union annual elections and the ANU Students' Association (ANUSA) annual elections in 2011. Details of these elections are shown in Table 5.

Nominations for the ANU Union elections closed on 19 July, polling was conducted from 1-4 August and the results were determined on 5 August.

For the ANUSA elections, nominations closed on 14 September, polling was conducted from 26-29 September and final results were determined on 5 October.

For these elections, Elections ACT provided assistance with receipt and checking of nominations, preparation and printing of ballot papers, operation of polling places at the ANU and the conduct of the count.

Table 5 – Australian National University elections

Election	Vacancies	Candidates	Votes
Election of 4 ANU Union directors	4	9	1,509
ANU Students' Association annual elections	38	101	1,700
Total	42	110	3,209

Enterprise agreement ballots

Elections ACT conducted 17 enterprise agreement ballots for ACT government agencies in 2011/2012. Details of these ballots are shown in Table 6 in chronological order.

Table 6 – Enterprise agreement ballots

Election	netVote election	Polls closed	Result provided	Votes
ACTION 2010-2013	No	7/09/2011	7/09/2011	580
Chief Minister and Cabinet Directorate 2011-2013	No	29/11/2011	29/11/2011	79
Education and Training Directorate 2011-2013	Yes	5/12/2011	5/12/2011	773
Environment and Sustainable Development Directorate 2011-2013	Yes	8/12/2011	9/12/2011	327
Territory and Municipal Services Directorate 2011-2013	Yes	12/12/2011	13/12/2011	555
Economic Development Portfolio 2011-2013	Yes	21/12/2011	22/12/2011	184
ACT Health Directorate 2011-2013	Yes	21/12/2011	22/12/2011	787
Community Services Directorate 2011-2013	Yes	21/12/2011	21/12/2011	518
Justice and Community Safety Directorate 2011-2013	Yes	21/12/2011	22/12/2011	556
ACT Legal Aid Commission 2011-2013	Yes	22/12/2011	23/12/2011	22
ACT Public Sector Nursing & Midwifery 2011-2013	No	2/02/2012	2/02/2012	1,225
Community Services Directorate (Cultural Facilities Corporation) 2011-2013	Yes	13/02/2012	14/02/2012	50
Treasury Directorate 2011-2013	Yes	21/02/2012	22/02/2012	686
ACT Auditor General's Office 2011-2013	Yes	2/03/2012	2/03/2012	26
Education & Training Directorate (Teaching Staff) 2011-2014	Yes	12/04/2012	13/04/2012	1,795
Health Directorate Medical Practitioners 2011-2013	No	26/04/2012	26/04/2012	275
Health Directorate Health Professionals 2011-2013	Yes	22/05/2012	23/05/2012	457
Total				8,895

Other elections

Elections ACT conducted or assisted with 2 other elections in 2011/2012. Details of these elections are shown in Table 7 in chronological order.

Table 7 – Other elections

Election	Vacancies	Candidates	Polls closed	Result provided	Votes
Southern Cross Club Board election 2011	3	6	4/10/2011	4/10/2011	3,019
Aboriginal Justice Centre Inc Election of Board Members	7	7	22/02/2012	22/02/2012	na
Total	10	13			3,019

Internet resources

A series of documents to guide organisations through their own elections is available on the Elections ACT website and include:

- ◇ Principles for conducting elections;
- ◇ Sample electoral regulations;
- ◇ Pro-forma ballot papers; and
- ◇ Scrutiny sheets on a spreadsheet where a Hare-Clark count can be calculated automatically.

Goal 2 - To provide high quality electoral information, education, advice and services

Performance indicator summary

Objectives	Measures	Outcomes
High level of electoral enrolment	Participation rate >95% of eligible population	Enrolment was 92.5% of eligible population at 30 June 2012.
Maintain high client satisfaction	Feedback from clients/electors	All electoral education and fee-for-service election clients expressed satisfaction.
Manage registration of political parties	Statutory requirements met	Statutory requirements met.
Redraw electoral boundaries for each election	Statutory requirements met	A redistribution of electoral boundaries commenced in January 2011 and concluded in October 2011. All relevant statutory requirements were met.

KEY RESULT AREA 2.1

ELECTORAL INFORMATION AND ADVICE

Information service

Elections ACT provides an ongoing information service to the general public through:

- ◇ Providing information in person over the counter, by telephone or by email;
- ◇ Publishing a range of information booklets and pamphlets;
- ◇ Answering written correspondence; and
- ◇ Maintaining a comprehensive website.

Publications

The following items were published in 2011/2012:

- ◇ ACT Electoral Commission *Annual Report 2010/2011*;
- ◇ *Augmented ACT Electoral Commission's Proposed Redistribution of the ACT into Electorates*;
- ◇ *Redistribution Report ACT Legislative Assembly Electoral Boundaries Redistribution 2011*;
- ◇ *Guidelines for reporting of gifts received*; and
- ◇ *General electoral information Fact Sheet* in 12 languages.

In addition, the following are available from the Commission:

- ◇ ACT Electoral Commission Annual Reports since 1992/1993;
- ◇ Election Statistics for the 1992, 1995, 1998, 2001, 2004 and 2008 elections;
- ◇ Reports on the conduct of the election and the operation of the *Electoral Act 1992* for the 1995, 1998, 2001, 2004 and 2008 elections;
- ◇ *The 2001 ACT Legislative Assembly Election: Electronic Voting and Counting System Review*;
- ◇ *The 2004 ACT Legislative Assembly Election: Electronic Voting and Counting System Review*;
- ◇ Redistribution reports, public submissions and statistics for the 1992, 1996, 2000, 2003, 2007 and 2011 redistributions;
- ◇ Information brochure on voting in the ACT for new citizens;
- ◇ Maps of ACT electorates;
- ◇ Various electoral enrolment and voting forms;
- ◇ Various election funding and financial disclosure handbooks;
- ◇ Handbooks for candidates and scrutineers;
- ◇ Information *Fact Sheets*;
- ◇ Two student workbooks entitled *What is the ACT Legislative Assembly?* for primary and secondary school students visiting the Legislative Assembly (November 1999);

- ◇ *Customer commitment statement;*
- ◇ Freedom of information statements;
- ◇ Electronic voting data from the 2001, 2004 and 2008 ACT elections on CD-ROM (on request and payment of fee); and
- ◇ Electronic voting data from the 2008 ACT election available for free download from the Elections ACT website.

Internet

The Elections ACT website address is **www.elections.act.gov.au**.

Information and services provided on the website in 2011/2012 included:

- ◇ General information about the Commission and Elections ACT;
- ◇ Details of past ACT Legislative Assembly elections, casual vacancies and referendums;
- ◇ Information and submissions regarding electoral boundaries;
- ◇ Media releases;
- ◇ The party register, including details on the registration of political parties;
- ◇ Information on the funding and disclosure scheme, including downloadable copies of returns;
- ◇ Information for organisations wishing to run their own elections;
- ◇ Information for schools wishing to run their own elections;
- ◇ A link to the AEC electoral enrolment forms, and other enrolment information;
- ◇ Printable copies of the Commission's publications; and
- ◇ Links to electoral legislation, other electoral bodies and ACT agencies.

Advice

Providing advice to the Attorney General, Assembly Committees and other MLAs is one of the Commission's most significant responsibilities. The Commission also provides advice to visiting delegations from other jurisdictions and other countries, makes submissions to Commonwealth parliamentary inquiries and gives presentations at conferences.

Examples of advice provided during the year include:

- ◇ Advising the Government and Legislative Assembly Members on matters related to the Electoral Act, and in particular regarding:
 - The Electoral Legislation Amendment Bill 2011;
 - The Electoral (Donation Limit) Amendment Bill 2011;
 - The Electoral (Casual Vacancies) Amendment Bill 2011;
 - The Electoral (Election Finance Reform) Amendment Bill 2011;
 - The Electoral Amendment Bill 2012;
 - The Electoral (Limit on Gifts) Amendment Bill 2012;

- The Commonwealth Joint Standing Committee on Electoral Matters report on its inquiry into the conduct of the 2010 federal election;
 - The Commonwealth Joint Standing Committee on Electoral Matters report on the funding of political parties and election campaigns;
 - The Commonwealth review of funding of the Australian Electoral Commission, and its potential impact on the cost of the joint electoral roll arrangement; and
 - Amendments to the Commonwealth electoral laws related to direct enrolment of electors;
- ◇ Appearing before the Legislative Assembly Standing Committee on Justice and Community Safety in relation to its inquiry into the electoral legislation bills and the Commission's report on the 2008 election;
 - ◇ Providing a submission to, and appearing before, the Legislative Assembly Standing Committee on Administration and Procedure in relation to its inquiry into the feasibility of establishing the position of Officer of the Parliament;
 - ◇ Appearing before the Standing Committee on Justice and Community Safety in relation to the Commission's 2010/2011 annual report;
 - ◇ Providing a submission to, and appearing before, the Legislative Assembly Standing Committee on Administration and Procedure in relation to its inquiry into its review of the *Australian Capital Territory (Self-Government) Act 1988*; and
 - ◇ Appearing before the Select Committee on Estimates 2012/2013.

Legislative Assembly Standing Committee on Justice and Community Safety inquiry into the electoral legislation amendment bills and the Commission's Report on the 2008 election

At its meeting of 7 April 2011, the ACT Legislative Assembly passed the following resolution:

That the ACT Electoral Commission's report, entitled *Report on the ACT Legislative Assembly Election 2008*, the Electoral Legislation Amendment Bill 2011 and the Electoral (Casual Vacancies) Amendment Bill 2011 be referred to the Standing Committee on Justice and Community Safety for inquiry and report to the Assembly by 22 September 2011.

In conducting this review the Committee should have regard to a range of issues including but not limited to:

1. the ACT Electoral Commission's Report on the ACT Legislative Assembly Election 2008;
2. the amendments proposed to be made by the Electoral Legislation Amendment Bill 2011;
3. the amendments proposed to be made by the Electoral (Casual Vacancies) Amendment Bill 2011;
4. the application of the *Proportional Representation (Hare-Clark) Entrenchment Act 1994* to the Electoral (Casual Vacancies) Amendment Bill 2011; and
5. any other relevant matter.

The Commission made a detailed submission to this inquiry on 30 June 2011, making 14 recommendations regarding matters for the Committee's consideration. A copy of the Commission's submission can be found at: www.elections.act.gov.au/publications/submissions_to_act_legislative_assembly_committees .

The Committee presented its report number 8 titled *ACT Electoral Commission Report on the ACT Legislative Assembly Election 2008 and Electoral Act amendment Bills 2011* in October 2012. A copy of the report can be found on the Committee's website at: www.parliament.act.gov.au/downloads/reports/JACS08%20Electoral%20report%20and%20Bills%20report%202011.pdf .

The Committee recommended that all clauses of the Electoral Legislation Bill 2011 be supported with the exception of clauses 7 and 8. These clauses limited each party to only being able to nominate up to the number of candidates to be elected in each electorate. The Committee also recommended that pre-poll voting be restricted to the period commencing 2 weeks before polling day. A majority of the Committee recommended that the Electoral (Casual Vacancies) Amendment Bill 2011 be supported.

The ACT Government's response to the Committee's report was tabled on 14 February 2012. A copy of the response can be found at: www.legassembly.act.gov.au/downloads/reports/7th%20JCS08%20electoral%20bills.pdf.

The Government agreed in principle with the recommendation regarding the Electoral (Casual Vacancies) Amendment Bill 2011, agreed with the recommendation that all clauses of the Electoral Legislation Bill 2011 be supported with the exception of clauses 7 and 8, and disagreed with the recommendation that pre-poll voting be restricted to the period commencing 2 weeks before polling day. On 16 February 2012 the Attorney General, Mr Simon Corbell, MLA stated during debate in the Legislative Assembly that "the government will not press forward with these amendments at this time" in relation to the Electoral (Casual Vacancies) Amendment Bill 2011.

The outcome of the debate on the Electoral Legislation Amendment Bill 2011 and the Electoral (Casual Vacancies) Amendment Bill 2011 is discussed further under **Electoral Legislation** on page 29.

Legislative Assembly Standing Committee on Justice and Community Safety inquiry into campaign finance reform

At its meeting on Thursday, 19 November 2009, the Assembly resolved:

That the Standing Committee on Justice and Community Safety inquire into electoral and political party funding in the ACT, including:

1. regulation of:
 - a. donation size;
 - b. political party campaign expenditure; and
 - c. third party campaign expenditure;
2. financial disclosure laws;
3. direct and indirect public funding of elections;

4. regulation of:

- a. donations by private individuals, organisations and other contributors; and corporations, unions,
 - b. personal candidate funding;
5. enforcement of funding and financial disclosure law;
6. the relationship between ACT electoral law and Commonwealth electoral law; and Constitutional matters; and any other relevant matter.

The Commission made its submission to the inquiry in March 2010 and the Commissioner and the Deputy Electoral Commissioner appeared before the Committee in February 2010.

A copy of the Commission's submission can be accessed at: **www.elections.act.gov.au/publications/submissions_to_act_legislative_assembly_committees**.

The Committee presented its report number 7 titled *A Review of Campaign Financing Laws in the ACT* in September 2011. The report included 21 recommendations for reform of the campaign finance laws in the ACT. A copy of the report can be found on the Committee's website at: **www.parliament.act.gov.au/downloads/reports/Campaign%20Financing%20Report%202011.pdf**.

The ACT Government response to this Bill was tabled on 21 February 2012. The response agreed to 6 recommendations, agreed in principle to 4 recommendations, noted 7 recommendations and did not agree with 5 recommendations. A copy of the response can be found at: **www.parliament.act.gov.au/downloads/reports/7th%20JCS07%20campaign%20finance%20reform.pdf**.

Three electoral bills were presented to the Assembly resulting, directly or indirectly, from this report:

- ◇ a private Member's bill, the Electoral (Election Finance Reform) Amendment Bill 2011, presented by Mrs Dunne MLA;
- ◇ a Government bill, the Electoral Amendment Bill 2012; and
- ◇ a further private Member's bill, the Electoral (Limit on Gifts) Amendment Bill 2012, presented by Ms Hunter MLA.

These bills are further discussed under **Electoral Legislation** from page 29.

Legislative Assembly Standing Committee on Administration and Procedure inquiry into the feasibility of establishing the position of Officer of the Parliament

At the meeting of the ACT Legislative Assembly held on 5 May 2011, the Speaker, as Chair of the Standing Committee on Administration and Procedure, advised the Assembly of the Committee's intention to conduct a review with the following terms of reference:

To review the feasibility of establishing the position of Officer of the Parliament as it might relate to the Auditor-General, the Ombudsman, the Electoral Commissioner and other statutory office holders.

The Commission made a submission to this inquiry in July 2011 and the Commissioner appeared before the Committee on 7 October 2011.

A copy of the Commission's submission can be accessed at: **www.elections.act.gov.au/publications/submissions_to_act_legislative_assembly_committees**.

The Committee presented its report number 4 titled Officers of the Parliament in March 2012. The report did not recommend any change that specifically mentioned the Electoral Commission or the Electoral Commissioner. In discussion, the report noted at page 42 that equivalent electoral officers had been made officers of parliament in other jurisdictions. The report concluded on page 43 in relation to the Electoral Commissioner and some other statutory office holders:

Having considered these positions carefully the committee does not consider that they should become Officers of Parliament until the concept of the Officer of Parliament is well established and clearly understood.

A copy of the report can be found on the Committee's website at: **www.legassembly.act.gov.au/downloads/reports/Officers%20of%20the%20Parliament.pdf**

The ACT Government response to this Bill was tabled on 7 June 2012. The response made a passing reference to the Electoral Commissioner on page 6 in the context of the Committee's recommendation 11, which indicated that officers of the parliament should be required to submit their work plans to the Standing Committee on Administration and Procedure:

The Electoral Commissioner must be free from influence from both the Executive and the Legislative Assembly. A statutory requirement to produce draft work plans might not be appropriate in the context of that role.

A copy of the ACT Government response can be found at **www.legassembly.act.gov.au/downloads/reports/7th%20AP04%20Parl%20Officer.pdf**.

Legislative Assembly Standing Committee on Administration and Procedure inquiry to review the Australian Capital Territory (Self-Government) Act 1988 (Cwlth)

The Standing Committee on Administration and Procedure resolved on 6 December 2011 to conduct an inquiry to review the *Australian Capital Territory (Self-Government) Act 1988* (Cwlth) and any associated regulations, and make recommendations as to whether the Act should be modified since it was enacted by the Commonwealth Parliament on 6 December 1988.

The Commission made a submission to this inquiry in March 2012 and the Commissioner appeared before the Committee on 11 May 2012. In its submission, the Commission made 6 recommendations regarding possible changes that could be made to the Self-Government Act in relation to electoral matters.

A copy of the Commission's submission can be accessed from **www.elections.act.gov.au/publications/submissions_to_act_legislative_assembly_committees**.

The Committee had not presented its report at 30 June 2012.

Electoral Legislation

In 2011/2012 the Commission provided the Attorney General and other Assembly Members with advice on several issues that related to the ACT's electoral legislation.

During the reporting period there were 2 electoral related enactments passed by the Assembly:

- ◇ the *Electoral Legislation Amendment Act 2012*; and
- ◇ the *Electoral Amendment Act 2012*.

There were also 3 other bills before the Assembly as at 30 June 2012 that had not been finally dealt with:

- ◇ the Electoral (Casual Vacancies) Amendment Bill 2011;
- ◇ the Electoral (Election Finance Reform) Amendment Bill 2011; and
- ◇ the Electoral (Limit on Gifts) Amendment Bill 2012.

A further private Member's bill, the Electoral (Donation Limit) Amendment Bill 2011, presented by Mr Brendan Smyth, MLA, was debated by the Assembly on 22 June 2012. It did not gain the support of a majority of Members of the Assembly and was negatived.

In addition, there are also minor amendments made to the Electoral Act by:

- ◇ the *Statute Law Amendment Act 2011 (No 3)*;
- ◇ the *Statute Law Amendment Act 2011 (No 2)*; and
- ◇ the *Statute Law Amendment Act 2012*.

These bills and Acts are discussed below.

Electoral Legislation Amendment Act 2012

Presented to the Assembly on 31 March 2011 as the Electoral Legislation Amendment Bill 2011, the *Electoral Legislation Amendment Act 2012* was passed by the Assembly on 16 February 2012. The Act came into effect on 29 February 2012. The Act made a number of amendments to the Electoral Act and the *Electoral Regulation 1993*, and made consequential amendments to the *Aboriginal and Torres Strait Islander Elected Body Act 2008*.

The amendments primarily arose from recommendations made by the Commission in its *Report on the ACT Legislative Assembly Election 2008*. Another amendment to lower the age of provisional enrolment arose from changes made in 2010 to the *Commonwealth Electoral Act 1918*.

The Electoral Legislation Amendment Act:

- ◇ Lowers the age of entitlement to provisionally enrol to vote from 17 years old to 16 years old, bringing the ACT into line with recent changes to Commonwealth entitlements (the requirement that an elector be 18 years old before they can vote is not affected);
- ◇ Provides for the return of a candidate's deposit to the person who paid it, or to a person authorised in writing by the person who paid it;

- ◇ Provides that the certified list of electors used in polling places contain the year of birth and gender of each elector, to assist in correctly identifying electors as they vote, and provides that the extract of the certified list of electors provided to candidates will not contain the year of birth and gender of electors in order to protect their privacy;
- ◇ Allows the Electoral Commissioner to provide the extract of the certified list of electors to candidates in electronic form on request (currently only printed copies are provided);
- ◇ Removes the requirement for a person to sign as witness when a voter is casting a postal vote; and
- ◇ Provides flexibility to the Electoral Commissioner as to where the word “declaration” is to be printed in relation to the words “ballot paper” on declaration ballot papers.

The Act also makes consequential amendments to the *Aboriginal and Torres Strait Islander Elected Body Act 2008*, which applies various provisions of the Electoral Act to the conduct of elections for the Elected Body.

This Act gives effect to recommendations 1, 2, 3, 4, 7 and 8 included in the Commission’s 2008 election report.

Electoral Amendment Act 2012

The *Electoral Amendment Act 2012* was passed by the Assembly on 10 May 2012. The Act gives partial effect to the ACT Government Response to the Standing Committee on Justice and Community Safety’s report, *A Review of Campaign Financing Laws in the ACT*. The Act provides for a range of amendments to the election funding and disclosure provisions in the Electoral Act, including:

- ◇ limits on gifts to political entities;
- ◇ prohibition on donations from anyone other than ACT electors for ACT election purposes;
- ◇ more frequent disclosure of gifts received by parties and non-party candidates;
- ◇ limits on ACT electoral expenditure by parties, non-party candidates and third-party campaigners;
- ◇ an increase in the rate of election public funding paid to parties and candidates; and
- ◇ providing funding for administrative expenditure incurred by political entities.

These changes are effective from 1 July 2012.

More detailed information of the changes are discussed under **Campaign finance reform legislation commencing on 1 July 2012** at page 46.

Electoral (Casual Vacancies) Amendment Bill 2011

The Electoral (Casual Vacancies) Amendment Bill 2011 was presented to the ACT Legislative Assembly on 31 March 2011 by the Attorney General, Mr Simon Corbell MLA. The Bill provides for a number of amendments to the casual vacancy provisions of the *Electoral Act 1992* and for consequential amendments to the *Aboriginal and Torres Strait Islander Elected Body Act 2008*.

On 16 February 2012 the Attorney General, Mr Simon Corbell, MLA stated during debate in the Legislative Assembly that “the government will not press forward with these amendments at this time” in relation to this Bill.

Electoral (Donation Limit) Amendment Bill 2011

The Electoral (Donation Limit) Amendment Bill 2011 was presented to the ACT Legislative Assembly on 22 June 2011 as a private Member's Bill by Mr Brendan Smyth, MLA . The bill provided for a range of offences related to the giving and receiving of gifts to a registered political party of more than \$50,000 in a financial year.

The Bill was debated by the ACT Legislative Assembly on 6 June 2012, but it did not gain the support of a majority of Members of the Assembly and was negatived.

Electoral (Limit on Gifts) Amendment Bill 2012

The Electoral (Limit on Gifts) Amendment Bill 2012 was presented to the ACT Legislative Assembly on 6 June 2012 as a private Member's Bill by Ms Meredith Hunter, MLA . The Bill provides for amendments to the Electoral Act, following the passage of the *Electoral Amendment Act 2012* on 10 May 2012.

The bill primarily address two issues: the new prohibition on donations from anyone other than ACT electors and the regulation of anonymous gifts. The bill had not been debated at 30 June 2012.

Minor amendments to the Electoral Act passed in 2011/2012

Three sets of minor amendments to the Electoral Act were passed by the ACT Legislative Assembly in 2011/2012.

The *Statute Law Amendment Act 2012* was passed by the Assembly on 8 May 2012 and came into effect on 5 June 2012. This Act updated the dictionary in the Electoral Act to insert "Australian citizen" as a new term, and is consequential on the insertion of a definition of the term in the Legislation Act. This was a technical amendment to update language in line with current legislative drafting practice.

The *Statute Law Amendment Act 2011 (No 3)* was passed by the Assembly on 17 November 2011 and came into effect on 12 December 2011. This Act updated two sections in the Electoral Act to make technical amendments to update language in line with current legislative drafting practice.

The *Statute Law Amendment Act 2011 (No 2)* was passed by the Assembly on 18 August 2011 and came into effect on 21 September 2011. This Act updated various sections in the Electoral Act to make a range of technical amendments, including amendments to update language in line with current legislative drafting practice, and amendments resulting from recent changes to the *Legislation Act 2001*.

Amendments to the Commonwealth Electoral Act relevant to the ACT

The Commonwealth Parliament passed two electoral related Acts in June 2012 which included provisions that have a direct impact on ACT electors. These two Acts, that amend the *Commonwealth Electoral Act 1918*, are:

- ◇ The *Electoral and Referendum Amendment (Protecting Elector Participation) Act 2012* (the Protecting Participation Act); and
- ◇ The *Electoral and Referendum Amendment (Maintaining Address) Act 2012* (the Maintaining Address Act).

Both of these Acts were awaiting Royal Assent at 30 June 2012, and therefore the provisions that will impact on ACT electors were yet to take effect. It is anticipated that the amendments will take effect later in 2012, after the ACT Legislative Assembly election is concluded.

The Protecting Participation Act provisions that impact on ACT electors will:

- ◇ allow the Australian Electoral Commissioner to directly enrol a person if the Commissioner is satisfied that the person has met certain criteria;
- ◇ require the person to be notified of the Commissioner's intention to enrol them and give the elector the opportunity to object to the enrolment; and
- ◇ allow the Commissioner to enrol certain persons who have cast declaration votes and have been removed from the roll.

The Maintaining Address Act provisions that impact on ACT electors will:

- ◇ allow the Australian Electoral Commissioner to update an elector's enrolled address following receipt and analysis of reliable and current data sources from outside the Australian Electoral Commission;
- ◇ require an elector to be notified of the Commissioner's intention to enrol them at a new address and give the elector the opportunity to object to the change; and
- ◇ enable objection action to be discontinued and the elector's enrolled address to be updated so that the elector is not removed from the electoral roll.

KEY RESULT AREA 2.2

ELECTORAL ENROLMENT

Joint roll arrangement

Under the ACT/Commonwealth joint roll arrangement the AEC maintains a joint electoral roll for Commonwealth and ACT purposes. The ACT Electoral Commissioner and the Australian Electoral Officer for New South Wales constitute a Joint Management Committee, which oversees the operation of the Joint Roll Arrangement.

The Commissioner pays the AEC a yearly fee for maintaining the joint roll. This fee is adjusted yearly for CPI and enrolment changes, and is due to be renegotiated every 3 years. The current base rate applies for the period 2009/2012.

Although the base rate was due for renegotiation before 30 June 2012, the Commissioner and the AEC agreed to continue with the current base rate for the 2012/2013 year pending a broader review of the funding arrangements under the joint roll arrangements with all states and territories. This broad review was foreshadowed following the passage of amendments to the Commonwealth Electoral Act that will provide for the direct update and direct enrolment of electors. These changes will have a fundamental impact on the way the joint electoral roll is maintained by the AEC, and therefore also the funding arrangements that will apply.

The fee set for 2011/2012 was \$0.74168 per elector (up from \$0.71512 per elector in 2010/2011). Joint roll payments for the year totalled \$183,864 (excluding GST).

Completeness and accuracy of the ACT electoral roll

The maintenance of the electoral roll to a high level of completeness and accuracy is one of the key tasks undertaken by all Australian electoral authorities. The importance of this task for the ACT Electoral Commission is indicated by the inclusion in the budget papers of an ongoing performance indicator aimed at demonstrating that the ACT has secured a high level of electoral enrolments. The target for this indicator is greater than 95% of the eligible population. As at 30 June 2012 it is estimated that 92.5% of the eligible population was enrolled in the ACT.

As the tables set out in this section demonstrate, the level of enrolment of in the ACT fluctuates according to the election cycle. The rate for the ACT also continues to compare favourably with the Australian average participation rate, which was around 91% at 30 June 2012. The ACT has been consistently among the Australian jurisdictions with the highest participation rates. However, the enrolment participation rate at 30 June 2012 shows a marked decline from the high of 97% at the close of rolls for the 2008 ACT election. Further, the tables below also indicate that participation by people in the younger age groups is comparatively low, particularly at periods in the election cycle removed from general election dates.

Australian Electoral Commission eligible population estimates show that around 1.4 million eligible citizens were not enrolled nationwide at 30 June 2012. This total includes an estimate of around 20,000 eligible citizens who were not on the ACT electoral roll at that time.

During 2010/2011 Victoria and New South Wales introduced schemes for “direct enrolment” of various classes of electors, and election-day enrolment for people who are not on the electoral roll. These schemes applied in the lead up to and during the subsequent Victorian and NSW elections. “Direct enrolment” is a method of updating the electoral roll using data from trusted sources to enrol people or to update the addresses of enrolled electors without requiring electors to complete enrolment forms. Since its introduction in those States there has been a marked improvement in the number of electors enrolled to vote in State elections. At the end of April 2012 there were approximately 188,000 more electors on the New South Wales state roll than on the equivalent federal roll.

A report by the Commonwealth parliament’s Joint Standing Committee on Electoral Matters regarding its inquiry into direct enrolment, among other things, has led ultimately to the Commonwealth passing amendments to the Commonwealth Electoral Act on 21 June 2012 to provide for direct enrolment. As the ACT Electoral Act provides that an elector on the Commonwealth roll for the ACT is also an elector on the ACT electoral roll, the implementation of the new provisions should have a positive effect on the ACT roll. It is expected that the new provisions will be implemented later in 2012, after the conclusion of the ACT Legislative Assembly election.

The Commission addressed the issue of whether the ACT should be considering adopting direct enrolment and election-day enrolment in its submission to the Legislative Assembly Standing Committee on Justice and Community Safety in relation to its inquiry into the electoral legislation amendment bills and the Commission’s Report on the 2008 election.

Owing to the long lead time needed by the AEC to implement the direct enrolment legislation passed in June 2012, the AEC has indicated that it will not be able to implement direct enrolment in the ACT before the rolls closes for the ACT election on 21 September 2012. Therefore the Continuous Roll Update mechanisms for updating the roll will continue to be used in the lead up to the close of the roll for the ACT election.

Continuous Roll Update (CRU) is the term used to describe the range of methods currently used to update the ACT electoral roll. These methods are described in detail in the Commission’s *Annual Report 2002/2003*. CRU was introduced nationally in 1999.

Change of address data provided by Centrelink, Australia Post, the ACT Motor Registry, the ACT Board of Senior Secondary Studies and ActewAGL continued to be used in 2011/2012 to generate letters to households where electors may need to update their enrolment. This constituted the main enrolment stimulation activity during 2011/2012.

The basis of operation of CRU will also be impacted by the introduction of direct enrolment.

As there has not been an election in the ACT during the reporting period, there has not been any one event to stimulate enrolment numbers during the year. However, the Commission, with the AEC, began a program of activities during 2011/2012 that will continue through to the close of rolls for the 2012 Assembly election. These activities included:

- ◇ Resumption of mailing to young people on the occasion of their 18th birthday encouraging them to enrol;
- ◇ Targeting new housing estates by doorknocks by electoral staff;
- ◇ Refreshing the election information campaign to include use of social media;
- ◇ The AEC’s national “Count Me In” enrolment campaign; and
- ◇ Monthly mail reviews.

The AEC has reported a heightened rate of enrolment activity during June 2012.

Table 8 shows details of enrolment activity on the ACT electoral roll for the past 3 reporting years.

Table 8 – Enrolment activity – ACT electoral roll

	2009/2010	2010/2011	2011/2012
Enrolment at 1 July¹	245,024	242,415	247,661
Additions	+16,067	+17,837	+12,758
New enrolment	5,929	4,912	4,536
Re-enrolment	2,769	3,462	937
Re-instatement	159	30	13
Transfer into the ACT	7,210	9,433	7,272
Movements within the ACT			
Transfers between electorates	4,659	5,857	4,789
Changes within electorates	9,762	13,003	8,980
No change enrolment ²	1,887	5,319	2,018
Adjustments³	-14	-28	-15
Previous federal only (+)	8	21	18
Voters to provisional (-)	-1	-1	-19
Now federal only (-)	-21	-48	-14
Deletions	-18,662	-12,563	-9,254
Objections ⁴	-10,550	-1,696	-683
Deaths	-1,188	-1,520	-1,179
Duplications	-24	-119	-26
Transfers out of the ACT	-6,900	-9,228	-7,366
Enrolment at 30 June¹	242,415	247,661	251,150

Note 1: The figures in the table do not include the enrolment of 17 year olds.

Note 2: "No change enrolment" refers to the number of applications for enrolment received where the elector is already enrolled and the elector details (name, address etc) on the new application are the same as the details under which the elector is enrolled. That is, there is no change made to the existing enrolment.

Note 3: Adjustments: "Previous federal only" are electors who were on the federal roll in the ACT but not on the ACT Legislative Assembly roll. These electors would include those who were enrolled for Norfolk Island or Jervis Bay who now live in the ACT, and electors who were enrolled as eligible overseas electors who did not have a fixed intention to return to the ACT, who now live in the ACT. "Voters to provisional" are those electors who were incorrectly enrolled as being at least 18 years of age, but on checking were 17 years of age. "Now federal only" are electors who were on the joint ACT and federal roll but are now not on the ACT roll, such as electors who have moved to Norfolk Island or Jervis Bay from the ACT, and electors who have enrolled as eligible overseas electors who have indicated they do not have a fixed intention to return to the ACT.

Note 4: "Objections" primarily refers to those electors removed from the roll because they have left their enrolled address without re-enrolling elsewhere. This category also includes persons removed from the roll because they have been found not to be citizens. Objections to enrolment are made by the AEC's Divisional Returning Officer for the division for which the person was enrolled, generally based on information received from change of address data.

Following the decline in enrolment numbers in the 2009/2010 year, enrolment has shown a net increase in both 2010/2011 and 2011/2012. For the first time the number enrolled has surpassed the 250,000 mark, reaching this milestone in May 2012.

The number of electors on the ACT roll has increased from 247,661 at 30 June 2011 to 251,150 at 30 June 2012. However, the percentage enrolment has decreased from 94.6% to 92.5%, which is less than the performance target of 95%.

It should be noted that since 30 June 2011, the Australian Electoral Commission has rebased its estimate of the eligible elector population by using preliminary 2011 Census data from the Australian Bureau of Statistics. This rebase has resulted in an increase in the 30 June 2012 estimate of the eligible elector population. The increase in the estimate of the eligible elector population will be reflected by a decrease in the participation rate.

Table 9 shows enrolment by age group as at 19 September 2008 (the date of the close of rolls for the 2008 Legislative Assembly election), 30 June 2011 and 30 June 2012, compared to estimates of the eligible population in those groups. The eligible population excludes estimated numbers of non-citizens and other people ineligible to enrol in the ACT.

The table indicates that the proportion of 18 year-olds enrolled in the ACT has decreased from a high of 79.9% at the close of rolls for the 2008 election (after increasing from 61.0% at 30 June 2008) to 33.0% at 30 June 2011 and increased to 48.4% at 30 June 2012. While the rate of enrolment for 18 year olds at 30 June 2011 was at its lowest since reporting of percentage enrolment began in 2003/2004, activity late in the reporting period has shown an increase in the percentage enrolment for this age group as at 30 June 2012. However, the percentage enrolment for 19 year olds has fallen markedly in the year to 30 June 2012 from 84.2% to 42.8%. One explanation may be that the very low percentage for 18 year olds at 30 June 2011 has translated to a similar low figure for the same birth year cohort one year later. A less dramatic, but still concerning, drop in participation rate has occurred in the 20 to 24 year age group from 89% to 78.4%.

The Commission intends to specifically target 18 to 25 year olds in the lead-up to the October 2012 election with the objective of improving this percentage further. This outlook is consistent with observed trends that indicate that high proportions of young people do not enrol unless an election is imminent.

Table 9 — Enrolment by age group

Age group	19 September 2008 ¹		30 June 2011		30 June 2012	
	Number enrolled	% of estimated entitled to enrol ⁴	Number enrolled and entitled to vote ³	% of estimated entitled to enrol ⁴	Number enrolled and entitled to vote ³	% of estimated entitled to enrol ⁴
18	3,850 ²	79.9%	1,498	33.0%	2,478	48.4%
19	4,453	85.4%	4,254	84.2%	2,421	42.8%
20-24	24,078	91.1%	23,230	89.0%	23,050	78.4%
25-29	24,844	94.3%	25,333	90.7%	25,564	87.9%
30-34	23,249	97.4%	23,934	95.1%	24,708	94.3%
35-39	25,030	98.4%	24,200	95.0%	24,051	93.2%
40-44	22,829	98.4%	23,834	98.1%	24,575	97.4%
45-49	23,618	98.3%	23,082	95.7%	22,746	93.4%
50-54	21,819	100.0%	22,664	98.2%	23,123	98.0%
55-59	20,418	101.2%	20,236	100.2%	20,338	98.3%
60-64	16,647	100.7%	18,632	101.2%	18,553	99.4%
65-69	10,716	100.3%	12,432	100.2%	13,833	108.0%
70+	21,920	99.6%	24,332	97.2%	25,710	103.7%
Total	243,471	97.1%	247,661	94.6%	251,150	92.5%

Note 1: 19 September 2008 was the date of the close of rolls for the 2008 Legislative Assembly election.

Note 2: The 3,850 electors shown as 18 year olds in 2008 includes 266 17 year old electors who turned 18 after the close of rolls and on or before polling day, and were therefore entitled to vote.

Note 3: As 16 and 17 year old enrolment is voluntary, the number of 16 and 17 year olds on the roll are not included in the total for the ACT for 30 June 2011 and 2012. There were 241 and 1160 17 year olds on the electoral roll at 30 June 2011 and 2012, respectively. Late in the 2010/2011 reporting year, 16 year olds also became eligible to enrol on a voluntary basis. There were 61 16 year olds on the roll at 30 June 2012.

Note 4: The estimates of the proportion of electors who are actually enrolled compared to the estimated number of people eligible to enrol needs to be treated with caution, as the latter is based on various assumptions about residency and eligibility. The estimates for the 3 years shown are post-censal estimates based on 2006 census data (for 2008 and 2011) and 2011 census data (for 2012) updated by birth and death registrations, and estimated interstate and overseas migration. The fact that some age groups show participation rates greater than 100% is likely to be due to the nature of the estimates, and because there is a delay in removing people from the roll by the AEC, where it has information that people may have left their enrolled address, pending further investigation of these enrolments.

Table 10 sets out enrolment by age by ACT electorate as at 30 June 2012.

Table 10 – Enrolment by age group by electorate as at 30 June 2012

Age group	Brindabella		Ginninderra		Molonglo		Total ACT	
	2011	2012	2011	2012	2011	2012	2011	2012
18	568	802	398	777	532	899	1,498	2,478
19	1,444	855	1,118	672	1,692	894	4,254	2,421
20-24	7,384	7,350	6,380	6,649	9,466	9,051	23,230	23,050
25-29	6,659	6,674	7,081	7,511	11,593	11,379	25,333	25,564
30-34	5,986	6,092	7,069	7,681	10,879	10,935	23,934	24,708
35-39	6,457	6,178	6,996	7,538	10,747	10,335	24,200	24,051
40-44	6,862	6,937	6,534	7,201	10,438	10,437	23,834	24,575
45-49	7,692	7,337	5,902	6,315	9,488	9,094	23,082	22,746
50-54	7,548	7,637	6,086	6,455	9,030	9,031	22,664	23,123
55-59	6,637	6,675	5,848	6,097	7,751	7,566	20,236	20,338
60-64	5,394	5,527	5,930	6,042	7,308	6,984	18,632	18,553
65-69	3,219	3,637	3,898	4,588	5,315	5,608	12,432	13,833
70+	5,416	5,813	6,573	7,177	12,343	12,720	24,332	25,710
Total¹	71,266	71,514	69,813	74,703	106,582	104,933	247,661	251,150

Note 1: The number of 16 and 17 years olds enrolled is not included in the total enrolment. The numbers of 17 year olds enrolled at 30 June 2011 were 71 in Brindabella, 75 in Ginninderra and 95 in Molonglo. The numbers of 17 year olds enrolled at 30 June 2012 were 440 in Brindabella, 323 on Ginninderra and 397 in Molonglo. Late in the 2010/2011 year 16 year olds became eligible to enrol. The numbers of 16 year olds enrolled at 30 June 2012 were 17 in Brindabella, 22 in Ginninderra and 22 in Molonglo.

Electoral Council of Australia

The Electoral Council of Australia (ECA) is a consultative council of Electoral Commissioners from the electoral authorities of the Commonwealth, States and Territories. In 2011/2012 the Chief Electoral Officer of New Zealand joined the membership of the ECA.

The ECA considers issues related to the maintenance of the electoral rolls, the operation of new electoral legislation, best practice in the management of elections and other matters of common interest. The ACT Electoral Commissioner attended 3 of the 4 meetings held during 2011/2012, while the Deputy Electoral Commissioner attended the fourth meeting.

Main issues discussed by the ECA in 2011/2012 included the management of the joint electoral rolls, a review of the CRU program, implications of the introduction of direct enrolment methods, the AEC's 2012 Year of Enrolment "Count Me In" national enrolment campaign, preparation for a workshop on electronic voting to be held in July 2012, a comparison of polling and casual staff pay rates, common ratings of accessibility of polling places and an upgraded telephone voting standard.

The ECA also sponsored a series of working groups attended by representatives of most electoral authorities, including a funding and disclosure workshop, a CRU review working group, a working group on e-learning for polling officials and a working group on electronic certified lists. Elections ACT staff participated on these working groups.

Commissioner's Advisory Board on Electoral Research (CABER)

In 2010, the Australian Electoral Commissioner Mr Ed Killesteyn established the Commissioner's Advisory Board on Electoral Research (CABER).

CABER consists of representatives from the Australian Electoral Commission, the State and Territory Electoral Commissioners, the Australian Broadcasting Corporation, the Australian Parliamentary Library and academic institutions. The State and Territory Electoral Commissioners appointed the ACT Electoral Commissioner, Mr Green, as their representative on CABER.

The function of CABER is to provide the Australian Electoral Commissioner with advice on electoral research. It will also provide advice on progressing a strategic electoral research framework to better inform and support delivery of electoral services and influence electoral policy reform in Australia. If the Australian Electoral Commissioner determines the need to undertake research the Australian Electoral Commission will procure, as appropriate, the required research services.

CABER had its inaugural meeting in Canberra on 7 April 2011 and its second meeting on 24 June 2011. CABER held one meeting in the reporting period on 18 April 2012.

In 2011/2012 CABER commissioned research reports on direct enrolment and electoral engagement through social media.

State and Territory Electoral Commissioners meetings

Since 2007 the State and Territory Electoral Commissioners have convened their own forum (known as STEC) to:

- ◇ discuss and consider electoral policy and operational matters of mutual interest;
- ◇ promote best practice electoral administration by considering policies and procedures within Australia and overseas electoral jurisdictions;
- ◇ promote and/or undertake research into contemporary electoral issues aimed at improving access and equality for all eligible electors;
- ◇ encourage mutual and co-operative development and sharing of information technology electoral administration systems and intellectual property associated with such systems and procedures to minimise costs to each member;
- ◇ publish or distribute any reports or research and seek input from any person or organisation that it considers appropriate; and
- ◇ work co-operatively with the Electoral Council of Australia on relevant matters.

Representatives of the Australian Electoral Commission attend STEC meetings by invitation. In 2011/2012 the Chief Electoral Officer of New Zealand joined the membership of STEC.

STEC met 4 times in 2011/2012. The ACT Electoral Commissioner attended all 4 meetings. Issues discussed included performance measures, standardised survey questions, electoral statistics reporting, electronic voting systems, electronic electoral rolls and other electronic systems in polling places, direct enrolment and the state of the national electoral roll, training of polling officials, ballot paper surveys, social media, sharing hardware for electoral events and examining emerging technologies.

KEY RESULT AREA 2.3

ELECTORAL EDUCATION

Electoral education program

The key objectives of the Commission's electoral education program are:

- ◇ To ensure that the voters of the ACT know at election time when the election is to be held, where and when they can vote, how to vote and when a timely, accurate and transparent result is expected; and
- ◇ To facilitate school and community programs that place elections within a civics and citizenship framework, illustrate the process of the Hare-Clark electoral system and encourage enrolment.

Elections ACT staff provide ongoing electoral education services to school, community and professional groups. The education program is aimed primarily at raising community awareness of the ACT's electoral system. Sessions include mock elections for school and community groups, conduct of Student Representative Council elections and Public Service seminars.

Elections ACT has a dedicated electoral education/information officer with formal teaching qualifications and experience. However, for part of 2011/2012, this officer undertook the role of office manager resulting in the electoral education program being implemented on a slightly reduced scale. The use of casual staff, trained to deliver electoral education programs, ensured the reduction in delivery of the education program was minimised.

The education program is focussed primarily on students in the upper primary and lower secondary years, and is aimed at increasing knowledge of the electoral system; it is not geared to securing the enrolment of 17-18 year olds students.

Elections ACT's education sessions are often conducted in cooperation with the Legislative Assembly Education Officer in the Assembly building. Participants at these sessions are shown how the Members of the Legislative Assembly are elected and how the Assembly functions. The Assembly has prepared audio-visual material that includes material on the electoral system. An education session can be taken into schools using these same materials.

The Elections ACT electoral education/information officer attended a national electoral education conference in February 2012.

Table 11 lists electoral education sessions conducted by Elections ACT staff in 2010/2011 and 2011/2012.

Table 11 – Electoral education sessions

Organisation type	Number of participants 2009/2010	Number of participants 2010/2011
Colleges	42	131
Community Groups	56	62
High Schools	70	225
Primary Schools	344	283
Professional Groups	36	25
Total	548	726

In addition to conducting face-to-face education sessions, Elections ACT has developed a range of printed electoral education resources for distribution to schools and community groups. This material is primarily aimed at providing teachers with the ability to conduct electoral education in their own classrooms. In addition, a factsheet with general electoral information was written and translated into 12 languages other than English for publication on the Elections ACT website.

All electoral education material is available from the Elections ACT website.

Schools continue to be encouraged to elect members to their Student Representative Council using the Hare-Clark system. The Commission offers assistance ranging from loaning electoral equipment to assisting with the election and scrutiny. In offering this assistance, the Commission aims to build skills within schools and contribute to students' experience of the democratic process.

A series of documents is available on the Elections ACT website to guide teachers through the electoral process so they can run their own school elections. The documents include:

- ◇ Instructions on the election process, the voting system, election day and counting the votes;
- ◇ A nomination form;
- ◇ Ballot papers; and
- ◇ A scrutiny sheet that calculates the Hare-Clark system automatically.

The Commission's education program is promoted, in conjunction with that of the Legislative Assembly, by direct mail-out to schools and by referral from other organisations.

Elections ACT continued its relationship with the ACT Department of Education and Training during 2011/2012. Information on Elections ACT education resources and education services was presented to a Teachers' Professional Development Day attended by teachers from a number of colleges and primary schools, both government and non-government. The program and resources were promoted to new and experienced teachers at *Keys to Canberra*, an annual event held in conjunction with the New Educator Support Program.

Elections ACT joined with the Legislative Assembly, the Museum of Democracy at Old Parliament House, the National Archives of Australia, the Australian Electoral Commission and the ANU College of Law to host the 2011 ACT Schools' Constitution Convention for interested Year 11 students. 79 students from 14 schools and colleges attended.

KEY RESULT AREA 2.4

OTHER ELECTORAL STATUTORY REQUIREMENTS

Registration of political parties

The Electoral Commissioner maintains the register of political parties for the purposes of ACT Legislative Assembly elections.

As 2012 is an election year, any unregistered political parties wishing to register for the 2012 Assembly election must have applied to do so before 1 July 2012.

Applications to register a political party were received from three political parties within the period 27-30 June 2012. These parties were: Bullet Train for Canberra, Marion Lê Social Justice Party and Pirate Party Australia (ACT Branch). As the applications were received just before the submission deadline, the processing of the applications occurred in July and August 2012. The Commission will formally report on the outcome of the applications in the 2012/2013 annual report. (For information, Bullet Train for Canberra was registered on 2 August 2012 and the Marion Lê Social Justice Party was registered on 7 August 2012. The application for registration made by the Pirate Party Australia (ACT Branch) was rejected on the ground that the party did not submit the names of 100 electors on the ACT electoral roll with its application.)

Applications to change the names of the registered officers of the Liberal Party of Australia (A.C.T. Division) and the Australian Motorist Party were received during the reporting year. The applications were publicly notified, as required by the Electoral Act, inviting any objections to the changes. As no objections were received against either application, the register of political parties was amended accordingly. An application was also received from the Australian Labor Party (ACT Branch) to change the registered abbreviation of the party from Australian Labor Party to ACT Labor. This application was also publicly notified inviting any objections to the change. At 30 June the objection period had not closed. (For information, this change to the register took place on 17 July 2012.) There were no other changes to the register of political parties during the year.

At least once in the life of each Assembly, the Electoral Commissioner conducts a membership check of each registered political party in accordance with part 7 of the Electoral Act, in order to be satisfied that each party retains the right to be registered. Section 98 of the Electoral Act provides that the Commissioner must cancel the registration of a party if the Commissioner believes on reasonable grounds that the party does not have at least 100 members who are ACT electors. Accordingly, the Commissioner wrote to all registered political parties in April 2011 requesting a list of at least 100 members who were on the ACT electoral roll in order to determine whether the parties continued to be eligible to be registered. The parties were given until 30 September 2011 to provide their lists. All parties provided the required lists which were checked against the ACT electoral roll. As there were at least 100 members of each party found on the ACT electoral roll, the Commissioner considered that the membership criteria for registration was satisfied for each party on the register.

As at 30 June 2012, the following 7 parties were listed on the register of political parties.

Table 12 — Registered political parties as at 30 June 2011

Party name	Party abbreviation
Australian Labor Party (ACT Branch)	Australian Labor Party
Australian Motorist Party	A.M.P.
Liberal Democratic Party	Liberal Democrats
Liberal Party of Australia (A.C.T. Division)	Canberra Liberals
Pangallo Independents Party	Pangallo Independents
The ACT Greens	The Greens
The Community Alliance Party (ACT)	Community Alliance

Funding and disclosure scheme

The Electoral Commissioner maintains a funding and financial disclosure scheme that operates with respect to ACT Legislative Assembly elections. The funding and financial disclosure scheme in place up until 30 June 2012 had two main components: public funding of election campaign expenditure; and disclosure of financial transactions by registered political parties, MLAs, associated entities, candidates, third parties, broadcasters and publishers.

Major changes to the funding and financial disclosure scheme were enacted in 2012 and took effect from 1 July 2012. These are discussed below.

The Standing Committee on Justice and Community Safety presented its report number 4 titled *Report on Annual and Financial Reports 2008-2009* in February 2010. The report made one recommendation with respect to the Commission's reporting:

Recommendation 24

That the ACT Electoral Commission include in future annual reports more information and analysis about election funding, annual returns and election returns.

The Commission accepted this recommendation, and commenced providing more detailed information in its 2009/2010 annual report. The tables and discussion in this section provide information with respect to the 2010/2011 annual returns which were lodged with the Commission during 2011/2012.

Election funding

The ACT scheme for public funding is a formula based direct entitlement scheme, involving automatic payments to parties and candidates calculated by multiplying the total number of first preference votes received by a prescribed amount, adjusted each six months by the all groups consumer price index (CPI) issued by the Australian Bureau of Statistics. The prescribed amount for the 2008 election was 147.722 cents per eligible vote.

The *Electoral Amendment Act 2012*, passed by the Legislative Assembly on 10 May 2012, increased the amount that will apply for the 2012 ACT election to \$2 per eligible vote. This amount will continue to be indexed by CPI for future elections.

There were no public funding payments made in the 2011/2012 year as it was not an election year.

Annual returns

Under the funding and disclosure provisions of the Electoral Act, registered political parties, MLAs and associated entities were required to lodge an annual return for the 2010/2011 financial year by October 2011. Persons who donated more than \$1000 to a party, MLA or associated entity were required to lodge annual returns by November 2011.

For the 2010/2011 financial year, 7 annual returns were received from political parties, 17 from MLAs, 2 from associated entities and 45 from donors.

Returns were made public on 1 February 2012. Copies of the returns can be viewed at the Elections ACT website.

Table 13 shows a summary of the receipts, payments and debts for the 3 parliamentary parties and the combined other parties for the 2009/2010 and 2010/2011 financial years.

Table 13 – Summary of receipts, payments & debts of ACT registered parties from annual returns

	2009/2010			2010/2011		
Party	Receipts	Payments	Debts	Receipts	Payments	Debts
ALP	\$967,619	\$780,537	\$56,700	\$1,085,134	\$912,100	\$65,619
LP	\$657,810	\$405,042	\$141,664	\$585,836	\$481,307	\$130,507
Greens	\$152,681	\$122,296	\$2,748	\$533,510	\$379,041	\$6,028
Other	\$1,887	\$3,290	0	\$1,133	\$1,652	0
TOTAL	\$1,779,997	\$1,311,165	\$201,112	\$2,205,613	\$1,774,100	\$202,154

Note 1: The 2010/2011 figures are subject to updating following audits of those returns.

The total of receipts and of payments for 2010/2011 are the largest amounts in these categories since reporting began. The record size of these amounts is most likely due to the 2010 federal election held in August 2010.

Public funding of parties compared to private funding

Table 14 shows the sources of funding of the three ACT parliamentary parties for the 2009/2010 and 2010/2011 financial years, broken down into private and public funding, and the private funding further broken down into those funds for which the donor is disclosed and the amount for which the donor is not disclosed.

Table 14 – Sources of funding received by the ACT Parliamentary parties

2009/2010		ALP		Liberal Party		ACT Greens	
		Amount	% of total received	Amount	% of total received	Amount	% of total received
Total received		\$967,619		\$657,810		\$152,681	
Private		\$967,619	100%	\$657,810	100%	\$152,681	100%
Public ¹		n/a	n/a	n/a	n/a	n/a	n/a
	Private – disclosed ²	\$951,545	98.3%	\$471,653	71.7%	\$79,083	51.8%
	Private – undisclosed ³	\$16,074	1.7%	\$186,157	28.3%	\$73,598	48.2%
2010/2011		ALP		Liberal Party		ACT Greens	
		Amount	% of total received	Amount	% of total received	Amount	% of total received
Total received		\$1,085,134		\$585,836		\$533,510	
Private		\$1,085,134	100%	\$585,836	100%	\$309,750	58.1%
Public ¹		n/a	n/a	n/a	n/a	\$223,760	41.9%
	Private – disclosed ²	\$888,708	81.9%	\$500,034	85.4%	\$199,128	64.3%
	Private – undisclosed ³	\$196,426	18.1%	\$85,802	14.6%	\$110,622	35.7%

Note 1: Public funding is received from the ACT or Australian Electoral Commissions under relevant public funding schemes in election years. 2010/2011 was a federal election year. The payment to The ACT Greens was made by the AEC in relation to the federal election. Federal election public funding payments were not disclosed to the ACT Electoral Commission by the ALP and the Liberal Party as these payments were not made to the ACT branches of these parties. These payments were disclosed to the AEC by the national secretariats of these parties.

Note 2: Private finding – disclosed is the total amount declared where the identity of the person or organisation making the payment, and the amount, is disclosed.

Note 3: Private funding – undisclosed is the total amount declared where the identity of the person or organisation making the payment, and the amount, is not disclosed. These amounts may include payments from known sources under the disclosure threshold and/or anonymous donations.

Table 14 demonstrates that there have been substantial amounts of funding received by the registered parties where the identity of the payer has not been disclosed. Audits of party returns show that much of this amount is made up of small donations, parliamentary levies, membership fees and fundraising activities where the individual amounts paid are less than the \$1,000 disclosure threshold. Parties are only required to disclose the identity of those people/organisations making individual payments of \$1,000 or more as a single amount. However, some of the amounts received are from people/organisations making a number of payments of less than the threshold that when summed add to more than the threshold. If these payments that sum to more than \$1,000 are donations, the donor is required to lodge a return with the Commissioner.

The changes to the funding and financial disclosure scheme enacted by the *Electoral Amendment Act 2012*, which take effect from 1 July 2012, address this issue in two ways. Under these changes, parties and other recipients of funds will be required to disclose the identities of sources of funds where payments sum to \$1,000 or more in a financial year, including individual amounts of less than \$1,000. In addition, parties, MLAs, associated entities and candidates will not be permitted to retain more than \$25,000 in small anonymous gifts in a financial year. A small anonymous gift is a gift of less than \$250 where the name and address details of the giver are not known to the receiver.

Audit of 2009/2010 annual returns

In 2011 the Commissioner engaged auditors to undertake an audit of the 2009/2010 annual returns of the 3 Parliamentary parties: the Australian Labor Party (ACT Branch), the Liberal Party of Australia (A.C.T. Division) and The ACT Greens. The audit report indicated that matters identified and requiring follow-up were not of a nature that would lead the Commissioner to consider further action, other than the correction of returns. The matters detected in the audit of returns related to minor items of omission, errors in addition and items in accounts requiring further information to determine whether they should, or should not, be included in the annual returns. Amended returns have been posted to the Commission's website.

Audit of 2010/2011 annual returns

Early in 2012 the Commissioner engaged auditors to undertake an audit of the 2010/2011 annual returns of the 3 Parliamentary parties: the Australian Labor Party (ACT Branch), the Liberal Party of Australia (A.C.T. Division) and The ACT Greens, and the ALP's two associated entities, the Canberra Labor Club and the 1973 Foundation. This audit was completed in April 2012. While some matters required follow-up by the auditors, and by the parties and the Canberra Labor Club and the 1973 Foundation, the matters were not of a nature that would lead the Commissioner to consider further action. The matters detected were of a similar nature to those found in the 2009/2010 annual returns. At 30 June 2012, some of the amended returns addressing these issues have been received. The Commissioner's office was continuing to seek amended returns to address outstanding issues.

Campaign finance reform legislation commencing on 1 July 2012

The Legislative Assembly Standing Committee on Justice and Community Safety commenced an inquiry into Campaign Finance Reform in 2009. The Committee presented its report number 7 titled *A Review of Campaign Financing Laws in the ACT*, to the Assembly on 22 September 2011.

On 16 October 2011, Mrs Dunne MLA presented a private Member's bill, the Electoral (Election Finance Reform) Bill 2011, to the Assembly, which included amendments to the Electoral Act reflecting elements of the recommendations of the Standing Committee's report into campaign finance in the ACT. The Bill was agreed in principle but was not further debated.

On 23 February 2012 the Attorney General presented the Electoral Amendment Bill 2012 to the Assembly, which also included amendments to the Electoral Act reflecting elements of the recommendations of the Standing Committee's report. The Bill was amended during debate and passed by the Assembly on 10 May 2012. The provisions of the *Electoral Amendment Act 2012* (the Electoral Amendment Act) took effect from 1 July 2012.

The Committee report and legislative process are further discussed under **Legislative Assembly Committee inquiries and reports** on page 61 and **Electoral Legislation** on page 29.

The Electoral Amendment Act made broad changes to the election funding, expenditure and financial disclosure scheme operating in the ACT.

The changes include:

- ◇ Introducing limits on the amount of gifts that may be received for use in ACT election campaigns (\$10,000 per donor per financial year);
- ◇ Introducing limits on the amount of electoral expenditure that may be incurred on ACT election campaigns (\$60,000 per candidate, non-party MLA or third-party campaigner, with parties standing 17 or more candidates only permitted to spend up to \$1,020,000 each);
- ◇ Introducing ACT election bank accounts, that must be kept by those incurring electoral expenditure in ACT election campaigns;
- ◇ Only permitting individual persons on the ACT electoral roll to make gifts to parties, MLAs and candidates for ACT election purposes, with any gifts received from non-ACT electors required to be deposited in a federal election account;
- ◇ Increasing the amount of election funding available to eligible parties and non-party candidates to \$2.00 per formal vote;
- ◇ Introducing administrative funding for parties with representation in the Assembly of \$20,000 per MLA per year (indexed by CPI from 2013);
- ◇ Bringing forward the deadline for lodgement of annual and election financial disclosure returns (with annual returns due by 31 July and most election returns due 60 days after polling day);
- ◇ Bringing forward the date of publication by the Commissioner of annual and election financial disclosure returns (with annual returns due to be published at the beginning of September and election returns due to be published from the beginning of February after polling day);
- ◇ Introducing additional reporting of gifts received, with gifts of \$1,000 or more received in an election year to be disclosed within 7 days of receipt, and gifts of \$1,000 or more received in non-election years to be disclosed within 30 days of receipt;
- ◇ Introducing a limit on the amount of small anonymous gifts that may be received of \$25,000 per party, MLA or candidate per year;
- ◇ New definitions for:
 - the disclosure period;
 - electoral expenditure;
 - gifts; and
 - volunteer labour; and
- ◇ Introducing definitions for:
 - capped expenditure period;
 - financial representative;
 - fundraising contributions;
 - fundraising events;

- party grouping;
- prospective candidate; and
- third party campaigner.

Advising the Minister and other MLAs on the passage of the campaign finance reform legislation, and then preparing for the implementation of the reforms from 1 July 2012, constituted a major body of work for Elections ACT staff in 2011/2012, particularly the Electoral Commissioner and the Deputy Electoral Commissioner.

At 30 June 2012, a summary of the new provisions was published on the Elections ACT website, along with guidelines, forms and an online lodgement system for reporting of gifts received of \$1,000 or more within 7 days of receipt. Handbooks and return forms for election and annual disclosure returns were nearing completion at 30 June. All registered political parties and known associated entities were offered a briefing on the new provisions, with all parties except one receiving a briefing in June or July 2012.

Additional funding was sought by Elections ACT for implementing the new campaign finance laws. The 2012/2013 budget included additional funding for electoral services to cover additional staff costs for 2012/2013 and 2013/2014, the cost of implementing on-line reporting of disclosures, and funds to cover the increase in election public funding and the new administration fund for MLAs. As at 30 June 2012 the 2012/2013 budget had not been debated or passed by the Assembly.

Redistribution of electoral boundaries

The Electoral Act requires a redistribution of ACT Legislative Assembly electoral boundaries to commence as soon as practicable after the start of the period 2 years before each scheduled general election for the Assembly.

In meeting this requirement, the Commission commenced the redistribution process in January 2011 in the previous reporting period by appointing a Redistribution Committee. The redistribution concluded in the current reporting period with the final determination of boundaries made on 30 September 2011 and the report on the redistribution submitted to the Attorney General on 24 October 2011. The report was tabled in the Legislative Assembly on 27 October 2011.

The report by the Augmented Electoral Commission noted that the 2011 redistribution process was a historic one:

For the first time in the history of the ACT's redistribution process, two very different sets of proposed boundaries were put before the ACT community for comment. The first option, proposed by the Redistribution Committee, opted for a "minimal change" that would further split the Gungahlin district between two electorates. The second option, proposed by the Augmented Commission, would keep the Gungahlin district in one electorate by moving the location of the 7-Member electorate while splitting the north Canberra suburbs of Lyneham, O'Connor and Turner from the rest of north Canberra. Both options generated public submissions in favour of and opposed to each option, particularly in relation to the splitting of districts. The Augmented Commission therefore had a difficult decision to make, given that there were no available options that would have avoided the splitting of any districts. On balance, . . . the Augmented Commission . . . decided to adopt the "minimal change" proposal put forward by the Redistribution Committee.

For completeness, this section describes the redistribution process from start to finish.

On 10 February 2011 the Redistribution Committee published a call for public suggestions, and for comments on those suggestions, on what the electorate boundaries should be for the 2012 ACT Legislative Assembly election.

One key requirement for an ACT redistribution is ensuring as far as practicable that electoral enrolments in the 3 electorates be within +/- 5% of the quota at the time of the next election. This requirement is aimed at ensuring 'one vote, one value' within practical tolerances. The quota for the 5 member electorates is 5/17 of the ACT total enrolment, and the quota for the 7 member electorate is 7/17 of the ACT total.

Statistical information prepared by the Australian Bureau of Statistics provided to the public to assist with making suggestions and comments highlighted that the projected enrolment in the electorates of Ginninderra and Molonglo at the time of the 2012 election would be outside the allowable tolerance for the numbers of electors in each electorate at that time.

Under the then existing boundaries, the electorate of Molonglo was expected to be around 6.5% over the quota in 2012, and Ginninderra was projected to be 5.6% under the quota. Consequently the size of Molonglo needed to be reduced and Ginninderra needed to be increased to bring them within +/- 5% of the quota at the time of the 2012 election. The electorate of Brindabella was projected to be 3.49% under the quota in 2012.

Six public suggestions were received from organisations and members of the public by the closing date of 10 March 2011. No comments on these suggestions were received.

The Redistribution Committee (comprising the Electoral Commissioner, the ACT Surveyor-General, the ACT Land and Planning Authority, and the Regional Director of the ACT Office of the Australian Bureau of Statistics) published a proposed redistribution on 5 May 2011 proposing to transfer the Gungahlin suburbs of Crace and Palmerston from Molonglo to Ginninderra. The Redistribution Committee also proposed transferring the as-yet undeveloped portion of the new district of Molonglo Valley from Ginninderra to Molonglo.

The proposal of the Redistribution Committee attracted 23 objections, including 19 against the proposal to transfer the Gungahlin suburbs of Crace and Palmerston from Ginninderra to Molonglo. Several objections favoured instead making Ginninderra a 7 member electorate based on Belconnen and Gungahlin. The Augmented Electoral Commission (comprising the members of the Redistribution Committee and the Commission Chairperson and the other member of the Commission) convened a public hearing on 24 June to canvass the issues raised in objections.

Following the public hearing, the Augmented Electoral Commission met to consider the submissions made in writing and at the public hearing.

On 8 July 2011, the Augmented Electoral Commission published a proposed redistribution aimed at addressing the objections made to the Redistribution Committee's proposal regarding the splitting of Gungahlin between the 2 electorates of Ginninderra and Molonglo. The Augmented Commission proposed that Ginninderra be made the 7-Member electorate, consisting of Belconnen, Gungahlin and Hall and the Canberra Central suburbs of Lyneham, O'Connor and Turner. The Augmented Commission did not propose to alter the existing Brindabella electorate. Under the proposal Molonglo would become a 5-Member electorate and would include all of the district of Molonglo Valley.

After considering the 83 written objections to the electoral boundaries proposed by the Augmented Electoral Commission (including one late submission) and the further spoken and written submissions presented at the public hearing held on 31 August 2011, the Augmented Commission decided to adopt the boundaries proposed by the Redistribution Committee.

Accordingly, the Augmented Commission determined, in accordance with section 35 of the Electoral Act, that the ACT was to be divided into 3 electorates as follows:

BRINDABELLA, a 5-Member electorate comprising the district of Tuggeranong (excluding the suburb of Hume), the Woden Valley suburbs of Chifley, Farrer, Pearce and Torrens and the districts of Booth, Coree, Cotter River, Paddys River, Rendezvous Creek, Tennent and Mount Clear;

GINNINDERRA, a 5-Member electorate comprising the districts of Belconnen and Hall (including the entire Village of Hall) and the Gungahlin suburbs of Crace, Nicholls and Palmerston (including the portion of the district of Gungahlin bounded by the suburbs of Palmerston and Crace and Barton Highway and Gungahlin Drive); and

MOLONGLO, a 7-Member electorate comprising the districts of Gungahlin (excluding the suburbs of Crace, Nicholls and Palmerston and the portion of the district of Gungahlin bounded by the suburbs of Palmerston and Crace and Barton Highway and Gungahlin Drive), Canberra Central, Molonglo Valley, Weston Creek, Woden Valley (excluding the suburbs of Chifley, Farrer, Pearce and Torrens), Jerrabomberra (including the entire suburb of Hume), Kowen, Majura, and Stromlo.

A copy of the report on the 2011 redistribution is available on the Elections ACT website.

Goal 3 – To support high quality electoral services by effective management

Performance indicator summary

Objectives	Measures	Outcomes
Manage costs within budget allocations	Budget met	Expenditure was \$0.016 mil over budget allocation for 2011/2012.
Maintain high staff satisfaction	Performance management feedback	High staff satisfaction reported in 2011/2012.
Manage and improve ICT business systems	Absence of ICT business systems failures	No ICT business systems failures.

KEY RESULT AREA 3.1

HUMAN RESOURCES MANAGEMENT

Continuous improvement

Elections ACT endeavours to foster an environment of continuous improvement and strives to provide satisfying work and development opportunities for its staff.

Permanent staff are encouraged to pursue secondments to other agencies to contribute to international, interstate and national electoral projects and to develop new skills through on-the-job training and external training courses. No interstate secondments occurred in 2011/12. However, staff attended various national workshops and conferences during the year, including workshops on electronic roll mark-off systems and staff on-line training and registration systems, and an electoral education conference.

During 2011/2012, Elections ACT staff also had several opportunities to undertake a range of learning and development activities (see **Learning and Development** on page 72).

As Elections ACT is a small organisation, all staff meet in regular forums to participate in decision-making processes. These include regular staff meetings and corporate and strategic planning workshops.

During 2011/2012, Elections ACT staff held regular planning sessions focusing on preparation for the 2012 Legislative Assembly election.

All Elections ACT staff had a performance management plan for 2011/2012. The plans incorporated a formal review schedule, with one-on-one performance reviews.

For further information on human resources management in Elections ACT and in particular staff improvement and development opportunities, see **Human resources performance** on page 69, **Staffing profile** on page 70 and **Learning and Development** on page 72.

KEY RESULT AREA 3.2

FINANCIAL MANAGEMENT

The Commission is included in the JACS portfolio for budgetary purposes. However, the Commission continues to manage and monitor its internal operating budget performance.

The total operating result for Elections ACT for 2011/2012 was a deficit of \$0.187 mil.

This deficit represented expenditure over the electoral services variable expenditure budget allocation by approximately \$0.028 mil. This result was due to a higher annual leave and long service leave liability calculation than expected, and to \$0.012 mil incorrectly billed to the Commissioner under the SSICT service level agreement. This amount was overcharged in error and will be re-credited to Elections ACT in 2012/2013. Consequently the actual amount by which the Commissioner was over budget in 2011/2012 was \$0.016 mil. The Commissioner expects to reduce the Elections ACT leave liability when the October 2012 election is complete, when staff will be able to take their accrued leave.

Analysis of the Commission's budget performance in 2011/2012 is included above under **Management discussion and analysis** on page 13.

The ACT Government Shared Services finance unit has responsibility for processing all the Commission's finances on the Commission's behalf.

See **Financial report** on page 14 for more information on the Commission's finances.

KEY RESULT AREA 3.3

RECORDS MANAGEMENT

As required by the *Territory Records Act 2002*, Elections ACT has in place a records management program.

Elections ACT has an identified Records Management Policy that has been approved by the Electoral Commissioner as the agency's Principal Officer. Records management procedures have been created and implemented. Appropriate training has been provided to staff.

Elections ACT has its own internal files as well as ACT Registry Files.

All active files, including internal and ACT Registry files, are stored within the Elections ACT office. Inactive files that are to be stored long-term in accordance with the Commission's Records Disposal Schedule are archived by ACT Registry. An in-house database records the names and details of all files held by Elections ACT.

Elections ACT's electronic records are stored on a central server maintained by Shared Services ICT, the ACT Government information technology management agency. Shared Services ICT is responsible for backing-up Elections ACT's data. Elections ACT also regularly backs up its database files on removable media.

Elections ACT does not create or hold records containing information that may allow people to establish links with their Aboriginal or Torres Strait Islander heritage.

The Elections ACT Records Disposal Schedule is listed on the ACT Legislation Register as follows:

Table 15 – Records disposal schedule

Records Disposal Schedule Name	Effective	Year and No.
Territory Records (Records Disposal Schedule - Electoral Records)	Approval 18 June 2004	NI2004-178

KEY RESULT AREA 3.4

INFORMATION/COMMUNICATION TECHNOLOGY MANAGEMENT

ICT applications

Since the conduct of the Commission's first election in 1995, Elections ACT has progressively introduced a range of information and communications technologies aimed at better, faster electoral services to the ACT community. Elections ACT has led Australia in the adoption of many electoral ICT innovations, notably the electronic voting and counting system introduced at the 2001 election and the ballot paper scanning system introduced at the 2008 election. Further innovations will be used at the October 2012 election.

Elections ACT maintains a wide range of databases and other ICT applications.

One of the most significant activities undertaken in 2011/2012 in preparation for the 2012 election was continuing the 4-year re-development of the Elections ACT ICT election systems, for which funding commenced in the 2009/2010 Budget. Work undertaken during the year on these systems included:

- ◇ Finalising and testing the upgrade of eVACs®, the electronic voting and counting system;
- ◇ Finalising and commencing testing of the integrated polling place management system, including a new electronic roll mark-off system, ballot paper reconciliation tool and vote count transmission facility;
- ◇ Finalising and commencing testing of a new election results display system, including the tally room display;
- ◇ Upgrading and commencing testing of the ballot paper scanning system;
- ◇ Upgrading the Elections ACT in-house suite of election management databases;
- ◇ Implementing the netVote system, an online ballot system to assist in the conduct of fee-for-service enterprise agreement ballots – using the system for the 2011/2012 round of enterprise agreement ballots for ACT government agencies;
- ◇ Developing and testing an online system for recruiting and training polling officials;
- ◇ Redeveloping, testing and implementing the online system for applying for postal votes; and
- ◇ Sourcing hardware for the various electronic systems to be deployed at the 2012 election.

Another significant ICT project used in production for the first time in 2011/2012 was the netVote system, an online voting system for use by Elections ACT when running fee-for-service elections for ACT organisations. This is a system for hosting simple "yes/no" ballots such as enterprise agreement ballots. The netVote system was used to conduct 13 enterprise agreement ballots in 2011/2012. See Table 6 on page 20 for a list of these ballots.

Elections ACT appointed two of its permanent staff members as project managers for the ICT redevelopment projects. The Elections ACT project managers worked closely with Shared Services ICT staff on these projects.

ICT procurement advice was sought from ACT Government Procurement Solutions and from the ACT Government Solicitors Office. Several service providers have been contracted to provide elements of the ICT business systems. See **External sources of labour and services** on page 75.

A steering committee has been established to oversee the Elections ACT ICT projects, consisting of the Electoral Commissioner, the Deputy Electoral Commissioner, the Elections ACT ICT project managers, the JACS Deputy Director-General, Justice, and senior representatives from Shared Services ICT.

ICT resources

Shared Services ICT, the ACT Government information technology management agency, continued to provide ICT resources to Elections ACT in 2011/2012.

Internet

Elections ACT continued to maintain and update the Elections ACT website during 2011/2012. The Elections ACT website address is **www.elections.act.gov.au**.

In March 2012 a website security breach affected a number of ACT Government websites, including the Elections ACT website. As a result of this breach, the Elections ACT website was briefly unavailable, and needed to be restored from a backup copy. No data was changed or compromised owing to this breach.

Following a review of this incident by Shared Services ICT, a decision was taken in June 2012 to migrate the Elections ACT website to a new service provider. The website was migrated to the new provider on 17 July 2012.

All ordinary updating and maintenance of the website is undertaken in-house.

For more detail on the Elections ACT website see **Information service** on page 24.

Triple bottom line report

The ACT Government is committed to initiatives to shape the development of a sustainable ACT, with sustainable ACT Government operations at its heart. The ACT Government framework for sustainability is laid out in *People, Place, Prosperity*, which was updated in 2009. *People, Place, Prosperity* uses a triple bottom line approach to sustainability, recognising the interdependence of social, economic and environmental well-being.

All ACT agencies are required to use the table format included below. Table 16 sets out performance in 2011/2012 and 2010/2011 for comparison. The table gives the percentage change in the 2011/2012 result relative to the 2010/2011 result.

Data in this table related to energy and water use has been provided by the ACT Property Group and was calculated by taking total usage measured for all North Building tenants and dividing those totals by 2.08% to estimate the usage of Elections ACT. The Commission considers that those elements of this table calculated in this way do not provide meaningful data on the actual usage experienced by Elections ACT.

Table 16 – Triple bottom line report

	INDICATOR	2010/2011 Result	2011/2012 Result	% Change
Economic	Employee expenses <ul style="list-style-type: none"> Number of staff employed (head count) Total employee expenditure (\$,000) 	8 \$687	6 \$742	-25.0% 8.0%
	Operating Statement <ul style="list-style-type: none"> Total expenditure (\$,000) Total own source revenue (\$,000) Total net cost of services (\$,000) 	\$1,230 \$50 \$1,180	\$1,337 \$42 \$1,295	8.7% -16.0% 9.7%
	Economic Viability <ul style="list-style-type: none"> Total assets (\$,000) Total liabilities (\$,000) 	Elections ACT's assets and accomodation details are included in the JACS asset management strategy and are reported on in the JACS Annual Report.		
Environmental	Transport <ul style="list-style-type: none"> Total number of fleet vehicles Total transport fuel used (kilolitres) Total direct greenhouse emissions of the fleet (tonnes of CO2e) 	0 0 0	0 0 0	0.0% 0.0% 0.0%
	Energy Use <ul style="list-style-type: none"> Total office energy use (megajoules) Office energy use per FTE (megajoules/FTE) Office energy use per m2 (megajoules/m²) 	203,390.00 27,485.10 1,271.20	298,198.00 49,699.00 1,864.00	46.6% 80.8% 46.6%
	Greenhouse Emissions <ul style="list-style-type: none"> Total office greenhouse emissions - direct and indirect (tonnes of CO2e) Total office greenhouse emissions per FTE (tonnes of CO2e/FTE) Total office greenhouse emissions per m2 (tonnes of CO2e/m²) 	32.50 4.36 0.20	31.57 5.26 0.20	-2.9% 19.8% 0.0%
	Water Consumption <ul style="list-style-type: none"> Total water use (kilolitres) Office water use per FTE (kilolitres/FTE) Office water use per m2 (kilolitres/m²) 	65.86 8.90 0.41	59.04 9.84 0.37	-10.4% 10.6% -9.8%
	Resource Efficiency and Waste <ul style="list-style-type: none"> Estimate of co-mingled office waste per FTE (litres) Estimate of paper recycled (tonnes) Estimate of paper used (by reams) per FTE 	n/a 0.948 12.18	840 0.818 9.66	n/a -13.7% -20.7%
Social	The Diversity of Our Workforce <ul style="list-style-type: none"> Women (as a percentage of the total workforce) People with a disability (as a percentage of the total workforce) Aboriginal and Torres Strait Islander people (as a percentage of the total workforce) Staff with English as a second language (as a percentage of the total workforce) 	50.0% 0% 0% 25.0%	50.0% 0% 0% 16.7%	0.0% 0.0% 0.0% -33.2%
	Staff Health and Wellbeing <ul style="list-style-type: none"> WHS Incident Reports Accepted claims for compensation (as at 31 August 2011) Staff receiving influenza vaccinations Workstation assessments requested 	0 0 1 1	0 0 2 0	0.0% 0.0% 100.0% -100.0%



Part B

Consultation and scrutiny reporting

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Community engagement

This section outlines major or significant community consultations undertaken during the year.

In ACT Legislative Assembly election years, Elections ACT undertakes extensive engagement with the community through its information campaign and its direct provision of services to electors during the voting process. The Electoral Act also requires Elections ACT to consult the community in the lead-up to each Assembly election in relation to various statutory processes. The next Assembly election is in October 2012.

The electoral boundaries redistribution process undertaken in the lead-up to every ACT Legislative Assembly election is one of the most significant community consultation activities carried out by the Commission in the election cycle. A redistribution of electorate boundaries concluded in October 2011. A description of the redistribution process undertaken in 2011/2012 is discussed under **Redistribution of electoral boundaries** on page 48. In the course of the 2011 redistribution, 112 written public submissions were received and 20 oral presentations were made at 2 public hearings.

Applications to register a political party or to change the register of political parties must be publicly notified, and members of the public have the right to object to such applications. This process is discussed under **Registration of political parties** on page 42.

Elections ACT also consults with stakeholders through its Electronic Election Systems Reference Group (formerly the Electronic Voting and Counting System Reference Group), consisting of representatives of political parties, MLAs and other special interest groups. The reference group will be convened early in the 2012/2013 year, before the October 2012 election, to provide a briefing on progress towards, and to seek final feedback from the group, on the redevelopment of its ICT systems.

As part of final user acceptance testing of the revised eVACs® operating system and new telephone style keypads, the Commission sought comments on the system from blind and vision impaired community representatives. The feedback from this exercise was positive for the changes.

Internal and external scrutiny

The Commission was not subject to significant internal or external scrutiny in 2011/2012.

Legislative Assembly committee inquiries & reports

The Commission was involved with several ACT Legislative Assembly Committee inquiries in 2011/2012.

In November 2009 the Standing Committee on Justice and Community Safety commenced an inquiry into Campaign Finance Reform. The Commission made a submission in relation to this inquiry and appeared at hearings during the 2009/2010 year. The Committee presented its report number 7 titled *A Review of Campaign Financing Laws in the ACT* in September 2011. For further information on this inquiry, including discussion of the Government response to the Committee's report and subsequent legislation, see **Advice** on page 26 and **Funding and disclosure scheme** on page 46.

On 7 April 2011 the Assembly referred the Commission's *Report on the ACT Legislative Assembly Election 2008*, the Electoral Legislation Amendment Bill 2011 and the Electoral (Casual Vacancies) Amendment Bill 2011 to the Standing Committee on Justice and Community Safety for inquiry and report to the Assembly by 22 September 2011. The Commission made a submission to this inquiry on 30 June 2011 and appeared before the Committee on 10 August 2012. The Committee presented its report number 8 titled *ACT Electoral Commission Report on the ACT Legislative Assembly Elections 2008 and Electoral Act amendment Bills 2011* in October 2012. For further information on this inquiry, including discussion of the Government response to the Committee's report, see **Advice** on page 25.

On 5 May 2011 the Legislative Assembly Standing Committee on Administration and Procedure commenced an inquiry into the feasibility of establishing the position of Officer of the Parliament. The Commission provided a submission to this inquiry in July 2011 and appeared before the Committee on 7 October 2011. The Committee presented its report number 4 titled *Officers of the Parliament* in March 2012. The report did not recommend any change with respect to the Electoral Commissioner. For further information on this inquiry, including discussion of the Government response to the Committee's report, see **Advice** on page 27.

The Commission provided a submission to, and appeared before, the Legislative Assembly Standing Committee on Administration and Procedure in relation to its inquiry into its review of the *Australian Capital Territory (Self-Government) Act 1988*. The Committee had not presented its report at 30 June 2012. For further information on this inquiry, see **Advice** on page 28.

The Electoral Commissioner also represented the Commission at hearings of the following committees:

- ◇ The Standing Committee on Justice and Community Safety in relation to the Commission's 2010/2011 annual report; and
- ◇ The Select Committee on Estimates 2012/2013.

The Standing Committee on Justice and Community Safety presented its report number 10 titled *Report on Annual and Financial Reports 2010-2011* in May 2012. The report made no comments or recommendations with respect to the Commission.

The Select Committee on Estimates 2012/2013 had not reported at 30 June 2012.

Formal reporting on these Committee inquiries and their respective Government responses will be included in each responsible directorate's annual report for 2011/2012.

Legislation report

The Commission and the Electoral Commissioner are responsible for the conduct of the elections and referendums and for the provision of electoral advice and services under the following legislation:

- ◇ *Electoral Act 1992;*
- ◇ *Electoral Regulation 1993;*
- ◇ *Referendum (Machinery Provisions) Act 1994;*
- ◇ *Proportional Representation (Hare-Clark) Entrenchment Act 1994;* and
- ◇ *Aboriginal and Torres Strait Islander Elected Body Act 2008.*

The Commission's role in providing advice on amendments to the electoral legislation is discussed above at **Electoral Legislation** from page 29.



Part C

Legislative and policy based reporting

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Risk management and internal audit

Risk management

The Commission monitored and refined its risk assessment and mitigation plan during 2011/2012. This plan includes risk assessment and mitigation strategies for the following classes of risks:

- ◇ Stakeholder relations;
- ◇ Core business and service delivery;
- ◇ Governance activities and control;
- ◇ Property, assets and security;
- ◇ Occupational health and safety environment;
- ◇ Capability and capacity;
- ◇ Systems development, technology and support; and
- ◇ Fraud.

Elections ACT also updated the Elections ACT Business Continuity Plan in 2011/2012.

Under the direction of the Electoral Commissioner, Elections ACT undertakes risk management assessments for all its major projects and contracts. The Commission takes a strategic interest in these assessments where they bear on its statutory duties. During the reporting period the Commission and Elections ACT continued the task of assessing risks as part of the preparation of business requirements and specifications for the development or re-development of its ICT election systems, and with respect to its preparations for the October 2102 ACT election.

Internal audit

As Elections ACT is too small to undertake its own internal audit processes, it takes part in the JACS internal audit arrangements. See the JACS Annual Report for details on these arrangements.

Under the JACS internal audit arrangements, an audit of the Commission's record management procedures commenced in 2012. The report of this audit had not been submitted by 30 June 2012.

The Commission's finances are also audited as part of the JACS portfolio.

Fraud prevention

Prevention strategies

This is a matter for which the Electoral Commissioner is responsible. Elections ACT employed the following fraud prevention strategies in 2011/2012:

- ◇ Adherence to fraud prevention procedures in office administration;
- ◇ Inclusion of fraud prevention procedures in the Commission's operational plans;
- ◇ Avoidance of potential conflicts of interests;
- ◇ Analysis of risk assessments in all major contracts;
- ◇ Use of a code of conduct relating to the use of information technology, particularly as it relates to electoral roll information; and
- ◇ Secure storage of ballot material for all elections.

Elections ACT also continued to work closely with the AEC and the ECA on strategies and performance measures related to detection and prevention of electoral enrolment fraud.

The eLAPPS electronic electoral roll mark-off system being developed by Elections ACT for use in polling places at the 2012 ACT Legislative Assembly election includes a feature that will result in names of voters being marked as having voted on all electronic rolls used at all polling places, within minutes of a name being marked off the roll. This feature is intended to reduce opportunities for fraudulent voting.

Detection strategies

Elections ACT's election procedures include many mechanisms designed to provide for transparency. In particular, scrutineers appointed by candidates are entitled to be present throughout polling and the count for Legislative Assembly elections and for most fee-for-service elections.

There were no reports or allegations of fraud or corruption received in 2011/2012.

Public interest disclosure

The *Public Interest Disclosure Act 1994* requires each ACT Government agency to establish and maintain procedures to facilitate the making of public interest disclosures. The Commission has adopted procedures implemented by JACS.

During 2011/2012 no public interest disclosures related to the Commission were lodged.

Freedom of information

Section 7 statement

Section 7 of the Freedom of Information Act 1989 (the FOI Act) requires agencies to publish a statement showing functions of the agency, how the public can participate in the work of the agency, categories of documents in the possession of the agency, and facilities provided to enable access to the agency's documents.

The Chairperson of the Commission is the principal officer of the Commission for the purposes of the FOI Act in relation to functions and powers vested in the Commission.

The Electoral Commissioner is the principal officer of the office of the Electoral Commissioner for the purposes of the FOI Act in relation to functions and powers vested in the Electoral Commissioner.

Establishment and powers

The ACT Electoral Commission is an independent statutory authority established by the *Electoral Act 1992*.

The Commission and the Electoral Commissioner exercise powers under the Electoral Act, the *Referendum (Machinery Provisions) Act 1994* and the *Aboriginal and Torres Strait Islander Elected Body Act 2008*.

Arrangements for external participation

There are several avenues available under the Electoral Act for external participation in electoral matters.

- ◇ Members of the public are invited to make suggestions, comments and objections regarding proposed changes to electoral boundaries;
- ◇ Members of the public are invited to lodge objections to applications for, and some changes to, registration of political parties;
- ◇ An elector may object to the enrolment of a person on the grounds that the person is not entitled to enrolment;
- ◇ Members of the public may make a complaint to the Electoral Commissioner alleging a contravention of the Electoral Act – the Commissioner is required to investigate, or refer to the appropriate authority for investigation, any such complaint, unless the Commissioner believes on reasonable grounds that the complaint is frivolous or vexatious; and
- ◇ Approaches from the community on any electoral matter are welcomed by the Commission and Elections ACT.

Documents

Extracts, updated at least once each year, from the ACT electoral roll are made available for public inspection (but not purchase) without charge at the office of the Commission.

Records related to the issue of declaration votes for ACT Legislative Assembly elections are made available for public inspection (but not purchase) without charge at the office of the Commission during the relevant election period.

The following documents are available for inspection and purchase:

- ◇ The register of political parties;
- ◇ Annual returns of donations, expenditure and debts submitted by political parties, MLAs, associated entities and donors; and
- ◇ Election returns of donations and expenditure submitted by political parties, candidates, broadcasters and publishers, donors and other political participants.

The documents listed under **Publications** from page 23 are provided free of charge (except for electronic voting data on CD-ROM; however this data is available for free download from the Elections ACT website).

Facilities for access

Publicly available documents can be obtained from Elections ACT's office. FOI requests should be directed to the Deputy Electoral Commissioner.

Most items are also available on the Elections ACT website at **www.elections.act.gov.au**.

Section 8 Statement

Section 8 of the FOI Act requires the Commission to publish a statement of documents used for the purpose of making decisions or recommendations. This statement is available on request and is included on the Elections ACT website at **www.elections.act.gov.au/about_us/freedom_of_information** and in the statement published by JACS.

Section 79 Statement

Section 79 of the FOI Act states that each responsible Minister must prepare an annual report on the operation of the FOI Act in relation to each agency for which the Minister is responsible.

The Commission did not receive any FOI requests in 2011/2012, nor were any FOI matters outstanding at 1 July 2011.

Contact officer

For further information about the ACT Electoral Commission, FOI or any other matters raised in this annual report, contact:

For the period 1 July 2012 to 30 November 2012:

The Electoral Commissioner
ACT Electoral Commission
41 Rae Street
Belconnen ACT 2617

For the period from 3 December 2012:

The Electoral Commissioner
ACT Electoral Commission
Ground Floor, North Building
Civic Square, London Circuit
Canberra City ACT 2601

Telephone: (02) 6205 0033

Fax: (02) 6205 0382

Or write to:

PO Box 272, Civic Square ACT 2608

Or email:

elections@act.gov.au

Website:

www.elections.act.gov.au

Internal accountability

As a very small agency, the Commission does not have complex internal accountability structures and processes.

The full Commission, consisting of the Chairperson, the Electoral Commissioner and the third Member, oversees the operation of the Commission, sets general directions and approves reports to the Legislative Assembly. The Commission adopted new internal governance guidelines in 2006/2007.

Under the Electoral Act, the Commission is also responsible for undertaking internal reviews of a range of decisions that can be made in the first instance by the Commissioner or by his or her delegate.

The full Commission forms part of the Augmented Electoral Commission, together with the members of a redistribution committee. The Augmented Electoral Commission considers objections to proposed electoral boundaries and makes final determinations of electorate names and boundaries.

The Electoral Commissioner performs the statutory role of chief executive officer of the Commission. The Commissioner is empowered to make a wide range of decisions under the Electoral Act and the Public Sector Management Act. The Commissioner generally approves all major projects undertaken by Elections ACT staff, including contracts, legislative instruments, publications and memorandums of understanding for fee-for-service elections. The Commissioner also carries delegations under the *Financial Management Act 1996* to commit expenditure up to the limit of the Commission's budget.

The Deputy Electoral Commissioner performs a range of management functions in support of the Commissioner, including funding, expenditure and financial disclosure manager and registrar of political parties. The Deputy Electoral Commissioner carries a standing delegation to perform the Commissioner's functions should the Commissioner be unavailable.

The ACT Executive has made an instrument under section 22 of the Electoral Act appointing the Deputy Electoral Commissioner to act as the Electoral Commissioner during any period when the Electoral Commissioner is absent on approved leave of absence (other than personal leave) for longer than 5 working days.

The Commission's management structure is described under **Organisational Structure** on page 3. Details of the Commission's corporate and operational plans can be found at **Corporate Plan 2009-2013** on page 4. Details of the Commission's performance reporting arrangements can be found at **Performance indicators** at page 5.

Remuneration of the Commission members is determined by the Remuneration Tribunal.

For administrative purposes the Commission is an independent statutory authority within the Justice and Community Safety portfolio. The Commissioner exercises financial powers under the Financial Management Act as a delegate of the Director General of the Justice and Community Safety Directorate, who retains legislative responsibility for and maintains an oversight role of the Commission's budget. The Commissioner is a member of the Directorate's consultative management committee, JACSCOM, and the JACS Statutory Officer Holders Forum.

A steering committee has been established to oversee the Elections ACT 2012 election ICT projects, consisting of the Electoral Commissioner, the Deputy Electoral Commissioner, the Elections ACT ICT project managers, the JACS Deputy Director-General, Justice, and senior representatives from Shared Services ICT.

Human resources performance

Elections ACT is a small agency with a small permanent work force.

There were no changes to the number of permanent staff employed by Elections ACT in 2011/2012. Using capital funding for the upgrade of the elections ICT systems, two permanent staff members acted as project managers for the ICT projects for part of the year. Due to budget constraints, Elections ACT opted to not backfill one of these positions. The other position was backfilled by another permanent officer. However, this officer's position was not backfilled. One permanent officer is on extended leave. This position has been filled by temporary transfer of a permanent officer from another ACT agency.

An additional staff member was appointed for part of the financial year on a short-term contract to carry out work on the upgrade of the elections database systems.

Casual staff are employed by the Commissioner as required to assist with fee-for-service elections and State general elections.

Elections ACT maintains an in-house database of applicants for casual and temporary employment. Casual staff appointed under the Electoral Act, including polling officials, are employed following a merit selection process based on equal employment opportunity principles, previous experience and performance ratings.

Staffing profile

The following tables set out details of permanent staff employed during 2011/2012, including the Electoral Commissioner. As required by the annual report directions, the figures presented are as at pay 26, 20 June 2012. The tables do not include the 2 part-time Commission Members or the various casual staff employed during the year to assist with the conduct of other elections.

Table 17 – Full time employees & headcount

	Female	Male
FTE by gender	3	3
Headcount by gender	3	3
% of workforce (headcount)	50%	50%

Table 18 – Classification group by gender

Classification group	Female	Male	Total
Administrative officers	2		2
Senior officers	1	2	3
Statutory office holders		1	1
TOTAL	3	3	6

Table 19 – Employment category by gender

Employment category	Female	Male	Total
Casual			0
Permanent full-time	3	2	5
Permanent part-time	0	0	0
Temporary full-time ¹		1	1
Temporary part-time			0
TOTAL	3	3	6

Note 1: The Electoral Commissioner is classed as being a temporary full-time employee, as a statutory office holder employed for a fixed term.

Table 20 – Average length of service by gender by age-group

Average length of service ¹	Pre-Baby Boomers		Baby Boomers		Generation X		Generation Y		Total	
	F	M	F	M	F	M	F	M	F	M
0-2										
2-4										1
4-6									1	
6-8										
8-10									1	1
10-12										
12-14										
14+ years									1	1

Note 1: This table does not show age details for individuals to protect their privacy, given the small number of staff employed by Elections ACT.

Generation	Year span
Pre-Baby Boomers	Born prior to 1946
Baby Boomers	Born 1946 to 1964 inclusive
Generation X	Born 1965 to 1979 inclusive
Generation Y	Born from 1980 and onwards

Table 21 – Total average length of service by gender

Gender	Average length of service
Female	11.3 years
Male	14.1 years
Total	12.7 years

Table 22 – Age profile

Age group	Female	Male	Total ¹
n/a	n/a	n/a	n/a

Note 1: This table does not show age details for individuals to protect their privacy, given the small number of staff employed by Elections ACT.

Table 23 – Agency profile

Agency	FTE	Headcount
ACT Electoral Commission	6.0	6
Total	6.0	6

Table 24 – Agency profile by employment type

Agency	Permanent	Temporary	Casual
ACT Electoral Commission	5	1	0
Total	5	1	0

Table 25 – Equity and workplace diversity

	A	B	C		
	Aboriginal and/or Torres Strait Islander employment	Culturally & Linguistically Diverse (CALD) employment	Employment of people with a disability	Number of employees who identify in any of the equity & diversity categories (A, B, C)	Women
Headcount	0	1	0	1	3
% of total staff	0.0%	16.7%	0%	16.7%	50.0%

Learning and development

During 2011/2012, Elections ACT permanent staff participated in learning and development activities, including attending various courses and seminars. To facilitate Elections ACT's learning and development strategy, each staff member is allocated an average of \$1,000 in the Commission's budget each year.

Each Elections ACT staff member maintains a formal personal achievement and development plan. These plans are regularly reviewed. Through weekly meetings with all staff, the Commissioner also monitors and updates Elections ACT's performance as a team.

Learning and development opportunities undertaken in 2011/2012 are shown in Table 26.

Table 26 – Elections ACT learning and development activities

Initiative	Details (No. of participants who attended each program)
ACTPS Graduate Program	
Young Professionals' Network	
Future Leaders Program	
Executive Development Program	
PSM Program	
Sponsored Training for First-time and	1
Front-line managers	1
Bullying Prevention and Management training	3
Indigenous Cultural Awareness	
Understanding Legislation	1
Respect Equity & Diversity Training	3
First Aid Training	1

Workplace health and safety

In all of its activities Elections ACT gives careful consideration to workplace health and safety (WHS) principles and practices. Elections ACT has adopted the Whole of Government WHS policy and has access to JACS WHS personnel.

Elections ACT has two fire wardens, one designated first aid officer and a representative on the WHS committee for the designated JACS work group.

Incoming post is scanned by the ACT Government Registry before being opened by Elections ACT staff.

WHS initiatives undertaken during the 2011/2012 period were:

- ◇ Provision of ergonomic mice as needed by staff;
- ◇ Workplace safety inspections;
- ◇ Completion of a risk register for the workplace; and
- ◇ Completion of a risk register for polling places.

There were no workers compensation claims or any other notifiable issues arising under the *Work Safety Act 2008* during the reporting period.

Workplace relations

Enterprise agreements

The *Justice and Community Safety Directorate Enterprise Agreement 2011-2013* was approved by Fair Work Australia on 13 January 2012 and became operational on 20 January 2012. Salary increases were backdated to 18 August 2011. The Electoral Commissioner is a signatory to this Agreement, which covers Elections ACT staff employed under the Public Sector Management Act.

Australian Workplace Agreements

No Elections ACT staff were employed under an Australian Workplace Agreement.

Special Employment Arrangements

No Elections ACT staff were employed under a Special Employment Arrangement.

Human Rights Act 2004

Respect for human rights is a key driver behind the Commission's statutory functions and its organisational mission and goals.

Human rights principles are taken into account in the Commission's regular reviews of the electoral legislation. The JACS Human Rights Unit is consulted on proposals to amend the electoral legislation.

The focus on customer service contained in Elections ACT's mission, key goals and training programs is intended to ensure that all staff respect, protect and promote human rights in the course of their duties. Two staff have undertaken training provided by the Human Rights Commission.

All staff have access to Human Rights Commission brochures and relevant JACS Directorate publications.

Elections ACT takes a range of steps intended to ensure that its services are accessible to members of the ACT community who have a disability. Elections ACT maintains office space where public documents can be viewed. This space is accessible to people who have a disability. The Elections ACT website allows for large format and text descriptions and key election publications can be made available on request in alternative formats including large print and audio. Improved accessibility information has been developed and is being used in Elections ACT publications.

The Commission considers that its conduct of elections under the Electoral Act gives effect to section 17(b) (Taking part in public life) of the *Human Rights Act 2004*, which provides that every citizen has the right, and is to have the opportunity, to vote and be elected at periodic elections that guarantee the free expression of the will of the elector.

All staff at all polling places are trained in providing appropriate service to people with disability. Special provision is made to provide assistance to any person who is unable to vote without help.

All lists of polling places provided in the Commission's public information material indicate which polling places are accessible to people using wheelchairs. Polling place locations are chosen to maximise the number of polling places that have wheelchair access and include a polling booth that can be used by a person in a wheelchair. All pre-poll voting locations are accessible by wheelchair.

Information on enrolment and voting is included in the Canberra Blind Society's audio newsletter at election time and broadcast by 1RPH, the community radio station for print handicapped people.

Elections ACT's electronic voting system is designed to allow people who are blind or have vision impairment to vote in secret, without assistance. Every electronic polling place is equipped with a voting terminal that can be used by a person seated in a wheelchair or in the supplied seat. Each of these terminals has a 21 inch (or larger) monitor (compared to 19 inch monitors to be used in 2012 in standard voting screens). These terminals are equipped with headphones that broadcast spoken instructions. Using this system, people with vision impairment are able to vote in secret using a telephone style keypad.

Strategic asset management

Elections ACT's assets, accommodation details and energy reduction strategies are included in the JACS asset management strategy and reported on in the JACS Annual Report.

To assist with tracking computing and office equipment Elections ACT uses the Shared Services ICT ATLAS system, which is updated to reflect any equipment changes.

Capital works

The Commission did not undertake any capital works projects in 2011/2012.

Government contracting

Procurement principles and processes

The processes used to select and manage all contractors during 2011/2012 complied with the *Government Procurement Act 2001* and the *Government Procurement Regulation 2007*.

External sources of labour and services

In 2011/2012, the Commission engaged the contractors listed in Table 27 to provide services that exceeded \$20,000. These services are related to the Commission's ICT election systems. The procurement process for these contracts has been reviewed by ACT Procurement Solutions as required.

Table 27 – External sources of labour and services 2011/2012

Name of contractor	Description of contract	Date contract let	Cost	Procurement type
Donald Francis O'Connor	Provision of TIGER redevelopment	11/11/2011	\$40,000.00	Single select
SEMA Group Pty Ltd	ACT Elections ballot paper scanning	7/10/2011	\$189,732.40	Select
Cre8ive Australasia Pty Ltd	Online interactive training package development	31/01/2012	\$52,928.70	Select
F1 Solutions	Electronic Legislative Assembly polling place system	16/2/2011	\$272,140.00	SSICT ICT Panel member

Community grants/assistance/sponsorship

The Commission does not fund or receive community grants, assistance or sponsorship.

Territory records

A description of the Commission's compliance with the Territory Records Act is set out at **Key result area 3.3 – Records management** on page 54.

Commissioner for the Environment

The Commission did not contribute to the *State of the Environment Report* in 2010/2011. The Commission has not been the subject of an investigation or recommendations made by the Commissioner for the Environment.

Ecologically sustainable development

The *Environment Protection Act 1997* requires agencies to report on how its actions accorded with the principles of ecologically sustainable development.

Elections ACT's delivery of service is generally office based. Elections ACT staff adhere to the following environment-friendly practices:

- ◇ Power to computers, printers, photocopier and lights is turned off or placed on stand-by every night;
- ◇ Movement activated lights turn lights off when rooms are not used;
- ◇ Recyclable consumables are used when available and recycled paper is used for normal office work and for publications where appropriate;
- ◇ Office waste paper and toner is recycled;
- ◇ Office staff waste plastics and paper products are recycled and organic waste is composted; and
- ◇ Election material is reused or recycled where possible.

Elections ACT attained ACT Smart office accreditation in 2011/2012 to facilitate this recycling program.

In aligning with the Government's commitments to waste minimisation, greenhouse emission reductions, water efficiency and transport efficiency, agencies are required to provide relevant data on their resource use. Table 28 outlines data extracted with respect to the Commission's occupancy in the North Building. The 2010/2011 and the 2011/2012 data represent occupancy for the full financial year. The Commission notes that some of this data is calculated by taking usage data calculated for the whole of North Building and dividing the results by 2.08% to estimate Elections ACT's share of North Building's usage. The Commission considers that those elements of this table calculated in this way do not provide meaningful data on the actual usage experienced by Elections ACT.

Table 28 – Ecologically sustainable development data

	Indicator as at 30 June	Unit	2010/2011	2011/2012
Line	General		Office/Total	Office/Total
L1	Occupancy – staff full-time equivalent	Number (FTE)	7.4	6
L2	Area office space – net lettable area ¹	Square metres (m2)	160	160
	Stationary Energy		Office/Total	Office/Total
L3	Electricity use ²	Kilowatt hours	28,515	31,708
L4	Renewable energy use (GreenPower + EDL land fill gases) ²	Kilowatt hours	8,869	13,396
L5	Percentage of renewable energy used (L4/L3 x 100)	Percentage	31.10	42.25
L6	Natural Gas use ²	Megajoules	100,736	184,051
L7	Total energy use ⁷	Mega joules	203,390	298,198
L8	Energy intensity per FTE (L7/L1)	Megajoules/FTE	27,485	49,699
L9	Energy intensity per square metre (L7/L2)	Megajoules/m2	1,271	1,864
	Transport		Office/Total	Office/Total
L10	Total number of vehicles ³	Numeric	0	0
L11	Total vehicle kilometres travelled	Kilometres (km)	0	0
L12	Transport fuel (Petrol)	Kilolitres	0	0
L13	Transport fuel (Diesel)	Kilolitres	0	0
L14	Transport fuel (LPG)	Kilolitres	0	0
L15	Transport fuel (CNG)	Kilolitres	0	0
L16	Total transport energy use ⁷	Gigajoules	0	0
	Water		Office/Total	Office/Total
L17	Water use ²	Kilolitres	65.86	59.04
	Intensities			
L18	Water use per FTE (L17/L1)	Kilolitres/FTE	8.90	9.84
L19	Water use per square metre (L17/L2)	Kilolitres/m2	0.41	0.37
	Resource Efficiency and Waste		Office/Total	Office/Total
L20	Reams of paper purchased	Reams	100	58
L21	Recycled content of paper purchased	Percentage	50%	100%
L22	Estimate of general waste (based on bins collected) ⁴	Litres	1,453	584
L23	Estimate of commingled material recycled (based on bins collected) ⁵	Litres	N/A	840
L24	Estimate of paper recycled (based on bins collected) ⁶	Tonnes	0.948	0.818
L25	Estimate of organic material recycled (based on bins collected) ⁵	Litres	N/A	35
	Greenhouse Gas Emissions		Office/Total	Office/Total
L26	Total stationary energy greenhouse gas emissions (All scopes) ⁷	Tonnes CO2-e	32.5	31.57
L27	Total transport greenhouse gas emissions (All scopes) ³	Tonnes CO2-e	N/A	N/A
	Intensities			
L28	Greenhouse gas emissions per person (L26/L1) ³	Tonnes CO2-e FTE	4.39	5.26
L29	Greenhouse gas emissions per square metre (L26/L2) ³	Tonnes CO2-e	0.20	0.20
L30	Transport greenhouse gas emissions per person (L27/L1)	Tonnes CO2-e FTE	N/A	N/A

Note 1: According to the ACT Property Group, the Commission's occupancy is 2.08% of the total North Building office space.

Note 2: The electricity, gas, renewable energy and water data was calculated as a percentage (2.08%) of the total North Building usage. The ACT Property Group provided these figures.

Note 3: The Commission does not have an executive or fleet vehicle.

Note 4: The estimate of general waste is calculated as a percentage (2.08%) of the total North Building usage. This is based on 1,980 ltrs per week=1980x52=102,960 ltrs p.a. 2.08% of 102,960=2,141 ltrs minus recycling =584 ltrs p.a. No adjustment was made for partially filled bins as ACT Property Group were unable to provide this information.

Note 5: Elections gained ACT Smart office accreditation 29/5/12.

Note 6: RECALL secure destruction services provide the paper recycling figures in a sustainability report, however, they are unable to provide the figures in Litre units, and therefore the figures provided are in tonnes, which was converted to litres.

Note 7: Calculated using the Australian Government Department of Climate Change 'Online System for Comprehensive Activity Reporting' (OSCAR) for tracking energy and greenhouse data. The total of stationary energy is calculated by converting KW to MJ (multiply KW x 3.6) & adding L3+L6(renewable energy is included in total energy figure.)

Aboriginal and Torres Strait Islander reporting

The *Aboriginal and Torres Strait Islander Elected Body Act 2008* was passed by the Legislative Assembly on 6 May 2008. This Act established an Aboriginal and Torres Strait Islander Elected Body in the ACT and provides for the conduct of an election every 3 years to elect members to the body.

The first election for the Elected Body was conducted by Elections ACT in May-July 2008.

The second election was conducted by Elections ACT in April-May 2011, in consultation with the Office of Aboriginal and Torres Strait Islander Affairs.

All permanent Elections ACT staff and those casual staff employed for the Aboriginal and Torres Strait Islander Elected Body Election attended Indigenous Cross Cultural training in 2010/2011.

ACT multicultural strategy

The *ACT Multicultural Strategy 2010-2013* was developed by the ACT Government after significant community consultation including the Multicultural Summit 2008. It is a four-year plan with the following focus areas:

- ◇ Languages;
- ◇ Children and young people;
- ◇ Older people and aged care;
- ◇ Women;
- ◇ Refugees, asylum seekers and humanitarian entrants; and
- ◇ Intercultural harmony and religious acceptance.

Elections ACT has integrated the key focus areas of the Multicultural Strategy 2010-2013 into its strategic and operational planning processes insofar as they are relevant.

The Commission can report the following progress against the plan:

Focus area	Progress
Languages	<p>General electoral information factsheet translated into 12 languages and published on website.</p> <p>Website accessibility allows for large format and text descriptions.</p> <p>Key electoral publications are made available on request in alternative formats including large print and audio.</p> <p>Telephone Interpreter Service information is printed on the Commission's major publications.</p> <p>Printed electoral information is provided at Legislative Assembly election times in eleven languages other than English and disseminated through in the ACT Multicultural e-News Bulletin published by the Office of Multicultural Affairs and some community language radio stations.</p> <p>Instructions for electronic voting in Legislative Assembly elections are available in eleven other languages as well as English.</p> <p>Bilingual educators are employed at election time to provide information to CALD community groups in their first language.</p>
Children & Young People	N/A
Older People & Aged Care	See ACT strategic plan for positive aging 2012-2014 on page 80.
Women	Elections ACT aims to conduct elections in which women are free to participate as electors and as candidates.
Refugees, Asylum Seekers and Humanitarian Entrants	N/A
Intercultural Harmony and Religious Acceptance	All permanent staff and those casual staff employed for the Aboriginal and Torres Strait Islander Elected Body Election attended Indigenous Cross Cultural training.

ACT strategic plan for positive aging 2010-2014

The *ACT Strategic Plan for Positive Ageing* has been developed in partnership with the ACT Ministerial Advisory Council on Ageing with a focus on the following key principles:

- ◇ Social inclusion, participation and self-fulfilment;
- ◇ Respect and valuing;
- ◇ Support, independence and dignity;
- ◇ Partnerships; and
- ◇ Consultation.

It is a five year plan for 2010-2014, and includes an Implementation Plan that identifies actions for the initial reporting period to June 2011 and is intended to set the foundation for the next steps across government and with businesses and community partners.

The Commission can report the following progress against the plan:

Focus area	Progress
Information and communication	Information on electoral matters is provided to community groups, including the University of the Third Age, as requested.
Health and wellbeing	N/A
Respect, valuing and safety	N/A
Housing and accommodation	N/A
Support services	Applications for postal votes can be made on-line or by phone. Registration as a general postal voter (postal votes are automatically sent to the voter without the need to apply) is available. Mobile polling teams visit aged care facilities and hospitals to take the votes of residents and patients.
Transport and mobility	N/A
Work and retirement	There is the opportunity for retired persons to be employed as casual and temporary staff. Many of the casual and temporary staff employed are in fact retired from the full-time workforce.

ACT women's plan

The ACT Women's Plan 2010-2015 sets out the ACT Government's vision for working with the community to improve the status and lives of all women and girls, and provides a shared approach for working towards this vision across ACT Government agencies.

Two of the priority areas set out in the Women's Plan are related to the work of the Commission: Leadership and decision making; and Safe and respectful relationships.

Elections ACT aims to conduct elections in which women are free to participate as electors and as candidates. At the 2008 election, 26 candidates were women and 60 candidates were men. Of the 17 elected Members of the Assembly, 7 were women. At 30 June 2012, there were 251,150 electors on the electoral roll aged 18 and over; 129,621 were women (estimated to be 94.4% of the eligible population) and 121,529 were men (estimated to be 90.7% of the eligible population).

In order to promote a safe community, Elections ACT continues to work with the AEC to ensure that silent enrolment is available and offered to community members who, for reasons of safety, do not want their addresses published on the electoral roll.

Model litigant guidelines

Section 5AA of the *Law Officer Act 1992* requires all ACT agencies to comply with the Law Officer (Model Litigant) Guidelines 2010 (No 1). The model litigant guidelines apply to all Territory legal work, including conduct that may lead to litigation in the future, even if advice has not been sought from the ACT Government Solicitor's office.

Under section 5AC of the Law Officer Act, agencies must report on measures to ensure compliance with the model litigant guidelines. Agencies must also report on any breaches of the guidelines. .

The Electoral Commissioner has the following procedures in place to ensure that Elections ACT staff are aware of and complying with the model litigant guidelines:

- ◇ All instructions in relation to disputes are passed through the Electoral Commissioner and the Deputy Electoral Commissioner;
- ◇ The Commission's legal services are provided by the ACT Government Solicitor's office, which would if required review the Commission's instructions to ensure compliance with the guidelines;
- ◇ The Commission is able to rely upon the ACT Government Solicitor's office to identify those matters where a question arises as to compliance with the model litigant guidelines and to address it as appropriate; and
- ◇ All staff involved in claims procedures or other decisions which may at some point become the subject of litigation are informed of the guidelines and instructed to comply with them, referring any queries to the ACT Government Solicitor's office.

No breaches of the model litigant guidelines by the Commission occurred during the financial year.

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