



ACT Electoral Commission

Annual
Report
1997–98

Australian Capital Territory



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Part A — Overview and Major Achievements

The year in review

This is the sixth annual report of the Australian Capital Territory Electoral Commission (the Commission). It covers the period 1 July 1997 to 30 June 1998.

The successful conduct of the 1998 ACT Legislative Assembly election was the most significant activity undertaken by the Commission during the year. This was the second Legislative Assembly election conducted by the Commission since its establishment in 1993.

Notable features of the election included:

- the introduction for the first time in the ACT of a ban on political canvassing within 100 metres of a polling place;
- the introduction of several measures intended to increase customer service, including 8:00 pm close of rolls, 8:00 pm close of pre-poll voting and ordinary voting at pre-poll centres;
- an increase in the number of parties and candidates standing for election, leading to an increase in the size of ballot papers; and
- a very close election result in the electorate of Molonglo, leading to a full recount of the distribution of the preferences, delaying the finalisation of the election result in that electorate.

On almost all its performance indicators, the Commission improved on its 1995 election performance, including:

- an increase in voter turnout and a decrease in the number and proportion of informal votes; and
- very high levels of voter satisfaction with the Commission's service.

The Commission also achieved a significant budget saving of around \$432,000 under its allocated budget. Part of this saving is attributable to the absence of a referendum, as the Commission's budget included around \$200,000 for the conduct of a referendum if necessary. The remaining saving of around \$232,000 was achieved through:

- re-using material produced for the 1995 election;
- reducing the number of certified lists used and reducing the number of staff employed in polling places by rationalising polling procedures;
- issuing pre-poll votes as ordinary votes, rather than declaration votes;
- using a less expensive method of printing of ballot papers;
- developing computer programs, procedures manuals and training material in-house rather than using external contractors or seconded staff;
- using streamlined computerised procedures for processing postal votes, elector inquiries and non-voters, and for monitoring election staffing and material; and
- making use of staff on loan from interstate electoral authorities.

The ACT's contribution to the joint electoral roll with the Commonwealth was also reduced during the year following a renegotiation of the cost paid per elector.

Other Legislative Assembly election-related activities undertaken during the year included:

- complete review of the electoral roll to ensure its accuracy prior to the election;

- education programs for the election using mass media advertising, public relations activities and targeted activities for groups with special needs;
- market research to ensure election messages were targeted appropriately and were effective;
- training of polling staff prior to the election;
- undertaking a ballot paper survey after the 1998 election; and
- administering the Funding and Disclosure scheme for the election.

Activity not related to the Legislative Assembly election undertaken during the year included:

- advising the Government and the Legislative Assembly on passage of amendments to the *Electoral Act 1992* to implement many of the changes recommended by the Commission in its review of the 1995 election;
- participating with the electoral authorities of the States, the Northern Territory and the Commonwealth in the management of the national electoral roll;
- the conduct of or assistance with six elections on a fee for service basis; and
- continuing the schools based electoral education program.

Outlook for 1998/99

In the 1998/99 financial year the Commission will be focussing on completing 1998 election tasks and laying the groundwork for the 2001 election. These tasks include:

- providing the Legislative Assembly with a comprehensive election review which will examine various aspects of the election and make recommendations to the Assembly on changes to the Electoral Act;

- finalising apparent non-voters and multiple voters processing;
- commencing a redistribution of electorates;
- commencing a feasibility study on the possibility of computerised voting in the ACT; and
- evaluating all procedures used during the election and benchmarking with other electoral authorities with a view to improving procedures for the next election.

Other activities to be undertaken in 1998/99 include:

- working with other ACT agencies to implement a “one-stop shop” change of address notification service; and
- participating with other electoral authorities in the deliberations and initiatives of the Australian Joint Roll Council.

Overview of the Electoral Commission

The ACT Electoral Commission consists of a Chairperson, the Electoral Commissioner and a third Member. The Electoral Commissioner is also the Chief Executive Officer of the Commission and has Chief Executive powers in relation to staff employed to assist the Commissioner under the *Public Sector Management Act 1994*.

The Attorney General is the Minister responsible for electoral matters and the Commission is attached to the Department of Justice and Community Safety (previously called Attorney General’s Department) for administrative purposes. In the departmental structure for 1997/98, the Commission was included as Output Class 8, Output 8.1 Electoral Services.

A performance report against the performance measures listed in the 1997/98 budget papers for Output 8.1 Electoral Services is on page 40 of this report.

Description of activities

The ACT Electoral Commission is an independent statutory authority with responsibility for the conduct of elections and referendums for the ACT Legislative Assembly and for the provision of electoral advice and services to a wide range of clients.

The Commission's primary responsibility is to the electors of the ACT. This responsibility is reflected in the Commission's first corporate goal which is to "conduct high quality elections and referendums" and in its third corporate goal which is to "achieve increased public understanding of, and participation in, the electoral process".

Another major function of the Commission is the redistribution of electoral boundaries between elections. The Commission completed a redistribution in September 1996. The next redistribution is due to begin early in 1999.

The Commission 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 Service Agencies, the media and special interest groups.

Some of the other tasks for which the Commission is responsible include monitoring the accuracy of the roll, electoral education, maintaining the party register and the Funding and Disclosure scheme, and conducting elections for ACT Health Professions Boards and other organisations.

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 Acts:

- Electoral Act 1992;
- Referendum (Machinery Provisions) Act 1994; and
- Health Professions Boards (Elections) Act 1980.

Organisational structure

The three Members of the Electoral 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.

The Commissioner is assisted by three permanent officers employed under the Public Sector Management Act. These are the Deputy Electoral Commissioner (Senior Officer Grade C), the Project and Policy Officer (Administrative Services Officer Class 6) and the Administration and Program Officer (Administrative Services Officer Class 4).

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.

The members of the Electoral Commission as at 30 June 1998 were:

Mr Graham Glenn AO	<i>Chairperson</i>
Appointed 17 May 1994 for 5 years	
Mr Phillip Green	<i>Electoral Commissioner</i>
Appointed 23 September 1994 for 5 years	
Dr Christabel Young FASSA	<i>Member</i>
Appointed 17 May 1994 for 5 years	

Table 1 — Members of the ACT Electoral Commission

ACT Electoral Commission Strategic Plan 1996-98

This Strategic Plan for 1996-98 sets out the Commission's Goals, Aims and Strategies that it uses to achieve its mission. The Plan also sets out Performance Indicators to be used to evaluate the Commission's performance. The outcomes for 1997/98 are reported in the next section of this report.

The corporate mission of the ACT Electoral Commission is:

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

GOAL ONE

Conduct high quality elections and referendums.

Aim	Strategies	Performance Indicators
To develop and implement operational systems and procedures that will ensure quality, cost-effective services.	<ul style="list-style-type: none"> ■ Develop and implement a human resource management strategy, focusing in particular on recruitment, training and development, remuneration, and technical support and systems. ■ Develop and implement a cost-effective physical resources strategy focusing in particular on accommodation requirements, ballot papers, forms (including design, printing, distribution and storage) and equipment. ■ Develop and implement a cost-effective integrated Information Technology strategy which will make specific election functions more accurate, user-friendly and streamlined. ■ Ensure that identified resources are cost-effectively allocated for elections and referendums. ■ Conduct post-election evaluations, prepare reports, and implement recommendations where necessary. ■ Recommend changes to legislation if required. ■ Assist other Electoral Authorities with the conduct of their elections. 	<p><u>For general elections and referendums</u></p> <ul style="list-style-type: none"> ■ The result of elections is known within three weeks of polling day. ■ Voter turnout is the same or better than the ACT average of 90%. ■ The results of exit poll surveys indicate that at least 90% of voters are satisfied with arrangements. ■ Pre-election phone polls indicate increased awareness of voters following our education campaigns. <p><u>Applicable generally</u></p> <ul style="list-style-type: none"> ■ We receive positive feedback from clients and staff through face-to-face interviews and debriefing sessions. ■ The cost of electoral services in the ACT is comparable with those of other State and Territory Electoral Authorities. ■ Absence of adverse findings that reflect on the performance of the Commission as a result of legal action.

GOAL TWO**Support the democratic process by providing professional assistance, advice and services related to electoral matters.**

Aim	Strategies	Performance Indicators
To ensure complete and accurate electoral rolls.	<ul style="list-style-type: none"> ■ Liaise with the Australian Electoral Commission in relation to the Joint Roll Arrangement. ■ Participate on the Australian Joint Roll Council to ensure roll quality and consistency. ■ Implement a media campaign prior to general elections and referendums to encourage up to date enrolment. ■ Monitor roll accuracy. 	<ul style="list-style-type: none"> ■ Number of declaration votes issued through roll inaccuracy is less than 1%. ■ Audits of electoral roll indicate that at least 90% of individual elector's information is accurate from an analysis of information gained from a variety of sources including in-house and Commonwealth sources. ■ Number of enrolled electors is 95% of the estimated eligible population (as measured by official population estimates).
Aim	Strategies	Performance Indicators
To provide accurate and timely advice to clients.	<ul style="list-style-type: none"> ■ Provide an information service — by correspondence, telephone and at the counter. ■ Brief the Minister as required. ■ Brief candidates, MLAs, and parties as required. ■ Maintain a register of correspondence. 	<ul style="list-style-type: none"> ■ All correspondence will be satisfactorily responded to within four weeks. ■ Positive feedback from clients. ■ All telephone enquiries satisfactorily responded to by the next working day.
Aim	Strategies	Performance Indicators
To effectively undertake statutory requirements.	<ul style="list-style-type: none"> ■ Maintain the Party register. ■ Maintain the Funding and Disclosure Scheme. ■ Redistribute electoral boundaries. ■ Comply with Government-wide legislative requirements including FOI and privacy laws. 	<ul style="list-style-type: none"> ■ Level of compliance with the Electoral Act by candidates, parties and non-party groups through audits. ■ Timeliness and efficiency of the redistribution process. ■ Statutory deadlines are met.

GOAL THREE**Achieve increased public understanding of, and participation in, the electoral process.**

Aim	Strategies	Performance Indicators
To provide useful electoral information to the community that encourages participation in elections and referendums.	<ul style="list-style-type: none"> ■ Maintain and improve an information program for school age children — by providing mock elections, school visits, school elections for Students Representative Councils, curriculum material, and in-servicing for teachers. ■ Maintain and improve an information program for community groups. ■ Implement media campaigns prior to elections and referendums. ■ Maintain a telephone information line. 	<ul style="list-style-type: none"> ■ Increase in demand for information and education programs as compared with the previous year. ■ Increase in requests for running elections for Students Representative Councils or School Parliaments as part of the school program. ■ Level of awareness among the community as indicated by the result of pre- and post-poll surveys. ■ Decrease in unintentional informal voting. ■ Positive feedback from clients. ■ Increase in the level of enrolment.
Aim	Strategies	Performance Indicators
To develop an Access and Equity program.	<ul style="list-style-type: none"> ■ Identify target groups and consult with key stakeholders regarding their specific access and equity needs. ■ Implement a targeted information program that will meet identified needs. ■ Ensure clients with special needs are provided with appropriate assistance. 	<ul style="list-style-type: none"> ■ Number of electors who access non-English speaking background services provided for the 1998 election is greater than for the 1995 election. ■ Proportion of non-voters in target groups after the 1998 election is less than for the 1995 election. ■ Number of target group members reached by programs delivered. ■ Positive feedback from clients.

GOAL FOUR**Ensure best possible management practice.**

Aim	Strategies	Performance Indicators
To provide satisfying work and development opportunities for all staff.	<ul style="list-style-type: none"> ■ Foster a climate of positive feedback and open communication through performance agreements, regular appraisals and meetings. ■ Ensure that training and development plans are tailored to staff. ■ Develop an implementation plan that includes specific targets, milestones, actions and responsibilities. 	<ul style="list-style-type: none"> ■ Feedback from staff through regular meetings and performance agreements indicates that the aims are being achieved. ■ Extent to which training and development needs are identified as appropriate through performance agreements, and the extent to which training and development increase skills and job performance as indicated by performance assessments and post-course evaluation.
Aim	Strategies	Performance Indicators
To foster an environment of continuous improvement.	<ul style="list-style-type: none"> ■ Observe best practice in comparable organisations and where possible implement appropriate change. ■ Monitor progress against the strategic plan on a yearly basis and modify the strategic plan as necessary. ■ Review and enhance operational systems and procedures for future elections and for referendums following each election. 	<ul style="list-style-type: none"> ■ The Commission's performance compares favourably with national and interstate benchmarks.
Aim	Strategies	Performance Indicators
To ensure that financial management systems and procedures meet the Commission's and the Government's requirements.	<ul style="list-style-type: none"> ■ Maintain financial records. ■ Provide training to all staff in the use of relevant financial management systems. ■ Introduce a structured financial reporting system that will provide accurate and timely information to the Electoral Commission, the Department and the Minister. 	<ul style="list-style-type: none"> ■ Feedback from the Electoral Commission, the Department and the Minister. ■ Compliance with financial regulations as evidenced by the results of Government Audit Office audits. ■ All requests for financial reports and payments of accounts are completed by the required deadline.

GOAL FOUR — *continued***Ensure best possible management practice.**

Aim	Strategy	Performance Indicators
To foster a culture that practises the principles of Industrial Democracy (ID), Equal Employment Opportunity (EEO), and Occupational Health and Safety (OH&S).	<ul style="list-style-type: none"> ■ Adopt ACT Government Services (ACTGS) ID, EEO, and OH&S strategies. 	<ul style="list-style-type: none"> ■ Feedback from staff through regular meetings, and performance agreements indicates that the aims are being achieved. ■ Extent to which incidences of work-related illness and injury to staff occur. ■ Achievement of targets as specified in ACTGS EEO plan.

Achievements for 1997/98 — Reporting outcomes against performance indicators set out in the Electoral Commission's Strategic Plan

This section reports on the Commission's performance in 1997/98 in terms of the Goals, Aims and Strategies of the Commission as set out in the Strategic Plan. These outcomes are measured against the Performance Indicators set out in the Strategic Plan and other indicators of efficiency and effectiveness.

Goal I — Conduct high quality elections and referendums

The Commission's aim under this Goal is to develop and implement operational systems and procedures that will ensure quality, cost-effective services.

Election management systems

In the lead up to the 1998 Legislative Assembly election the Commission developed several new in-house automated systems related to various election activities with the aim of providing more client focused, cost-efficient services. These systems supplemented the two vote-counting systems developed externally for the 1995 election, which were updated for the 1998 election.

Development of the in-house systems significantly reduced the Commission's costs and enhanced the Commission's ability to adapt to changing needs. These systems will continue to be developed and used by the Commission for future elections.

New systems designed and used during the election period were:

- The Integrated Gathering of Election Records (TIGER);
- Monitoring of Election Telephone Enquiries (METE);
- Finance Estimates, Expenditure and Reporting (FEER);
- the Inquiry System;
- the Postal Vote System;
- the Declaration Vote System; and
- the Non Voters System.

Systems updated for the election were:

- the Election Results System; and
- The Hare-Clark Scrutiny System (HC-Auto).

Election forms and equipment

The design and printing of the ballot papers for the 1998 election was again a complex task for the Commission. The increased number of candidates and parties standing for election led to an increase in the size of the ballot papers and in the number of versions of the papers to be printed under the Robson rotation method.

The Commission met this challenge, and reduced the cost of printing the ballot papers significantly, by using laser printing rather than the traditional off-set method, a first for Robson rotation ballot papers in Australia. Using laser printers, the ballot papers were electronically collated into the Robson rotation orders specified in the Electoral Act. In 1995 the ballot papers were collated by hand.

The ballot papers were designed and typeset by the Publications and Public Communications Section (PPCS) of the Department of Urban Services. Tenders were let externally for the printing of the papers.

Other election forms were updated from 1995 versions. Design, printing, distribution and storage were undertaken primarily in-house where possible. The expertise of PPCS was utilised for the design and printing of some forms.

Equipment from the 1995 election was stored between elections where this proved to be cost-efficient and was re-used for the 1998 election wherever possible.

Surplus cardboard polling equipment was obtained from some State electoral authorities, further reducing the amount of new material that had to be purchased for the election.

Staffing

For the 1998 Legislative Assembly election, the ACT Electoral Commission seconded four staff from other ACT public service agencies. In addition, one officer from the Australian Electoral Commission was employed to assist with production, delivery and return of election materials. Six experienced staff from interstate electoral authorities were also seconded for the scrutines. These staff were seconded on an exchange basis, with their salaries paid by the home authorities and their travel expenses paid by the ACT Electoral Commission.

At the 1995 election, the Commission established a register of persons suitable for employment as polling officials and election casuals. This register has been added to regularly since that time. Where possible, staff who worked in 1995 and were rated suitable were re-employed for the 1998 election. Where vacancies existed, suitably rated staff were promoted and other vacancies were filled from the register. Refer to the section on *Principles of ID, EEO and OH&S* on page 34 for EEO details of casual and polling staff.

The terms and conditions determined by the Commission for the employment of polling officials and election casuals were the same

as those used by the Australian Electoral Commission at the 1996 federal election. These staff were employed under the Electoral Act.

Fewer staff were employed in 1998 to work on polling places than in 1995, while the number of polling places increased from 75 to 77. This was achieved without sacrificing customer service by rationalising polling procedures.

Payment of polling officials and election casuals was undertaken by a private sector agency.

The training of senior polling officials was conducted in-house and was rated highly by those polling officials trained. Refer to *Satisfying work and development opportunities* on page 32.

Voting

At the 1998 ACT Legislative Assembly election, 91.83% of eligible electors voted. This was an increase in turnout from 89.5% at the 1995 election. Those who voted did so in the following manner.

Vote type	Number	Percent ¹
ordinary votes	158 449	77.20%
pre-poll votes	22 998	11.20%
postal votes	5 241	2.55%
declaration votes	1 794	0.87%
adjustments ²	2	
total votes	188 484	91.83%

Table 2 — Votes cast in the February 1998 election by type of vote.

Note 1: In the above table, the percent column indicates the percentage of the total enrolment (205 248 at polling day).

Note 2: Adjustments made after all votes have been amalgamated and recounted.

PERFORMANCE INDICATOR

- ***Voter turnout is the same or better than the ACT average of 90%.***

ASSESSMENT

- The voter turnout of 91.83% was better than the ACT average of 90% and higher than for any previous ACT Legislative Assembly election.

Voting at polling places

Public schools, private schools, hospitals and community facilities were used as polling venues in the February 1998 election.

Wherever possible, the Commission attempted to keep the same polling places as were used at the previous Federal election in order to minimise public confusion.

For the first time, polling day coincided with Canberra Show day. As a result, the Commission established a polling place at the show to cater for people working there, as well as for show goers.

As at the 1995 election, ACT electors in 1998 were able to cast an ordinary vote for any electorate at any polling place. An “ordinary vote” is a vote issued to an elector whose name is found on a certified list of electors.

To enable ordinary voting for all three electorates, each polling place is issued with certified lists for its “home” electorate and the other two “away” electorates.

Polling place procedures were streamlined in 1998 to reduce the number of “away” electorate certified lists provided to each polling place. Rather than providing certified lists for all three electorates to every issuing officer, as in 1995, most issuing officers were issued with “home” certified lists only.

Electors from “away” electorates were streamed towards issuing officers with all three lists. This significantly reduced the cost of printing and scanning certified lists without reducing the level of service provided to electors.

PERFORMANCE INDICATOR

- ***The results of exit poll surveys indicate that at least 90% of voters are satisfied with arrangements.***

ASSESSMENT

- Exit poll surveys conducted showed that 96% of voters were satisfied with arrangements.

Pre-poll voting

In 1998, for the first time for ACT elections, electors casting their vote at a pre-poll voting centre because they were unable to vote on polling day, could cast an ordinary vote. Pre-poll voters simply had to state that they were unable to vote on polling day. They were then marked off the electoral roll and issued with a ballot paper in the same way as ordinary voters on polling day.

This was much simpler than for the 1995 election, where a voter casting a pre-poll vote was required to sign a declaration stating his or her name, address and eligibility to receive a pre-poll vote. His or her ballot paper was then placed inside an envelope.

This change made it easier for voters to cast a pre-poll vote, particularly combined with the extension of closing time to 8:00 pm on the Friday before polling day.

This change also helped to reduce the cost of the scrutiny. Unlike declaration votes, which have to undergo preliminary scrutiny before they can be admitted to the count, ordinary votes are placed directly in ballot boxes, and can be counted as soon as the polls close. Almost 23,000 votes were cast at pre-poll centres in 1998. Removing the need to subject these votes to a preliminary scrutiny resulted in a considerable saving in time and resources.

In recommending the adoption of ordinary voting at pre-poll centres after the 1995 election, the Commission cautioned that it could lead to an increase in fraudulent multiple voting.

The Commission investigated the extent of apparent multiple voting at the 1998 election and compared it to the extent of apparent multiple voting at the 1995 election. Details of this investigation are included later in this report. In brief, it appears that the introduction of ordinary voting at pre-poll centres did not lead to an increase in apparent multiple voting.

Postal voting

A total of 6690 postal votes were issued in 1998, of which 5241 postal votes were admitted to the count. This compared with 5725 votes issued and 4219 votes admitted in 1995. Those votes that were issued but not admitted were either not returned to the Commission, or were returned late, or were rejected at the preliminary scrutiny.

Postal vote application forms were made available in all post offices and ACT government shopfronts. Postal voting material was sent to 70 Australian overseas missions.

An in-house system was used for the first time for ACT elections to automate the despatch and receipt of postal votes. This system reduced the turn-around time for the issue of postal votes and sped up the preliminary scrutiny of votes received, leading to improved client service at a reduced cost.

Mobile polling

Teams of polling officials visited hospitals, nursing homes and the Belconnen Remand Centre in the week leading up to polling day and took 975 votes from patients and residents in those institutions.

Another 1400 votes were taken on polling day at Canberra Hospital and Calvary Hospital, where static and mobile polling took place.

Interstate voting

Interstate voters could vote in person at the office of each interstate electoral authority during the pre-election period. A total of 447 votes were cast in this way.

A polling place was also provided at Batemans Bay on polling day for ACT residents visiting the South Coast. There were 482 votes cast at Batemans Bay.

Declaration voting

A declaration vote is issued to a voter in a polling place or pre-poll voting centre when his or her name cannot be found on the roll for any of the three electorates.

A total of 3284 declaration votes were issued. Of these, 1794 were admitted to the count, including 99 electors who were found on the roll after more detailed checking and 1695 electors who had been removed from the roll but had retained the right to be enrolled for their electorate.

Of those declaration votes not admitted to the scrutiny, most were cast by persons who were not entitled to vote at the election. Others were rejected because they were not correctly signed or the elector had claimed a vote for the wrong electorate.

PERFORMANCE INDICATOR

- *Number of declaration votes issued through roll inaccuracy is less than 1%.*

ASSESSMENT

- The number of declaration votes issued because of errors in the roll was 1695 out of a total enrolment of 205 248 which is 0.83%.

Vote counting

The most notable feature of vote counting for the 1998 election was the need to conduct a full recount of the distribution of preferences in the Molonglo electorate.

The recheck of primary votes and the distribution of preferences was undertaken with the assistance of experienced electoral officials from the New South Wales, Western Australian and Tasmanian electoral authorities. As in 1995, the computer system developed by the Tasmanian Electoral Office in conjunction with the ACT Electoral Commission, HC-Auto, was also used to good effect.

The scrutines for all three electorates were more complex than the 1995 election, as more candidates stood and more votes were cast in 1998. The scrutines for Brindabella and Ginninderra were both completed on Tuesday 3 March 1998, 10 days after polling day and four days after the start of the distribution of preferences on Saturday, 28 February.

The Molonglo scrutiny was nearing completion on Thursday 5 March when, at count 120, ALP candidate Steve Garth was five votes in front of ALP candidate Marion Reilly, and a decision had to be taken as to which of the two candidates was to be excluded from the count. Ms Reilly formally requested a recount that day. On 6 March the Electoral Commissioner decided to grant a full recount of all Molonglo ballot papers.

The recount commenced on 9 March and concluded on 15 March, three weeks and one day after polling day. When the scrutiny arrived at count 120, Ms Reilly was in front of Mr Garth by three votes. As a result of the recount, Mr Garth was excluded from the count and Ms Reilly continued in the count, only to be excluded from the count at a later stage.

Nevertheless, the change in the order of exclusion following the recount resulted in the election of ALP candidate Simon Corbell, who would probably have lost to Mr Garth if the recount had not taken place.

Given the very narrow margin between Ms Reilly and Mr Garth, extra checking took place during the recount to ensure that every ballot paper was correctly sorted. Consequently the recount took longer than the original count. The final result at the end of count 120 indicated a net error of 8 votes in the margin between the two candidates, after recounting and redistributing the 78 879 formal and informal votes in Molonglo.

While it is the Commission's aim to eliminate all errors in its processes, it is recognised that the Hare-Clark scrutiny process is a complex and demanding task, and a small level of error can occur. When that small level of error is sufficient to place an election result in doubt, the recount process is available to eliminate that doubt. While the recount produced a different result from the original count, all candidates involved were satisfied that the correct result had been obtained.

Following the recount, the issue of computerising either the voting and/or counting process was publicly raised by the Electoral Commissioner and others. The Commission intends to undertake a comprehensive investigation of possible options for computerising ACT elections before the 2001 poll.

Another aspect of the election that received a good deal of public comment was the apparent effect of Robson rotation on the election result. As in 1995, it is possible that some of the candidates elected to the Legislative Assembly in 1998 owe their election to the so-called “linear vote”.

A linear vote is one where an elector marks preferences for the candidates of the party of his or her first choice by numbering them in sequence from the top down, without apparent regard for the names of those candidates.

In order to gain some hard evidence as to the impact of the linear vote, the Commission conducted an extensive survey of 1995 and 1998 ballot papers. The results of this survey, and suggested courses of action, will be included in the Commission’s review of the election, to be tabled in the Assembly in 1998/99.

PERFORMANCE INDICATOR

- ***The result of elections is known within three weeks of polling day.***

ASSESSMENT

- The result of the 1998 ACT Legislative Assembly election for Molonglo was known 3 weeks and 1 day after polling day, following a full recount of preferences.
- The results of the 1998 ACT Legislative Assembly elections for Brindabella and Ginninderra were known 10 days after polling day.
- Also refer to the performance assessment for *Miscellaneous ACT elections* on page 17.

PERFORMANCE INDICATOR

- ***Absence of adverse findings that reflect on the performance of the Commission as a result of legal action.***

ASSESSMENT

- The Commission was not involved in any legal action or any other inquiry in 1997/98 in relation to the ACT Legislative Assembly election.
- Also refer to the performance assessment for *Miscellaneous ACT elections* on page 17.

Informal voting

The number of informal votes counted at the 1998 election was the lowest in both percentage and absolute terms for any of the four ACT Legislative Assembly elections. Around 4.3% of all votes admitted to the scrutiny, or 8 134 out of 188 484 votes, were informal in 1998 (compared to 6.2% in 1995; 6.5% in 1992 and 5.7% in 1989).

The Commission conducted a survey of the informal votes cast in 1998 and determined that only 1.8% of the total number of votes were classed as informal where the voter had apparently attempted to cast a valid vote. The remaining informal votes (2.5% of the total votes) were either totally blank or contained only marks, writing or scribble, indicating the voters had not attempted to cast a valid vote.

After the 1995 election, the Commission estimated that 2.8% of all votes were classed as informal where the voter had apparently attempted to cast a valid vote.

Of those informal votes cast in 1998 where the voter had apparently attempted to cast a valid vote, the majority (2 994 out of 3 373) were cast by voters who used more than one first preference. The Commission intends to target this kind of informal voting at the 2001 election in order to further reduce the number of unintentional informal votes.

PERFORMANCE INDICATOR

- ***Decrease in unintentional informal voting.***

ASSESSMENT

- A survey of informal ballot papers indicates that unintentional informal voting was 1.8%, compared to 2.8% in 1995.

Non-voters/multiple voters

Scanning of certified lists

The Australian Electoral Commission (AEC) provided scanning services to the Commission under contract. After the election the AEC provided the Commission with a consolidated list of non-voters both in electronic form and hard copy. The AEC also provided a consolidated list of apparent multiple voters.

The cost of scanning and the non-voters process was reduced through computerised processes used in-house. The inquiry system and the declaration vote system were used to cull over 6 400 names from the list of apparent non-voters.

An in-house system was then used to generate and process non-voters notices and to follow up multiple voters.

Non-voters

Voting is compulsory for ACT elections. It is an offence for an enrolled elector to fail to vote at an election without a valid and sufficient reason.

On 24 April 1998 the Commission sent 10 414 notices to apparent non-voters. This was a significant reduction from the 18 200 letters sent after the 1995 election.

This reduction was achieved because of the higher turnout and because the computerised inquiry system enabled more efficient recording of valid reasons provided before the notices were despatched.

On 5 June 1998, the Commission sent reminder letters to the 3 897 apparent non-voters who had failed to reply at that stage. As at 30 June 1998, 2 439 apparent non-voters had still failed to reply and were sent a notice of possible prosecution.

The following table outlines the replies received up to 30 June 1998 compared with the total replies for the 1995 election. Note that these statistics do not include responses to the third notice sent in 1998.

Non-voter procedures will continue in the 1998/99 financial year.

Details	1995	1998
Total enrolment	196 959	205 248
Number of votes counted	176 264	188 484
Total number of apparent non-voters	20 695	16 764
Valid reason for not voting provided before first notice sent ¹	≈ 3 000 ²	6 425
Number of first non-voters notices sent ³	18 200	10 414
Elector claimed to have voted: claim substantiated	985	341
Elector claimed to have voted: claim not substantiated	406	111
Elector unable to vote due to mental incapacity or being infirm	323	75
Elector deceased	69	9
Valid and sufficient reason provided	3 864	3 815
No valid and sufficient reason provided and penalty not paid	47	38
\$20 penalty paid	1 851	1 153
Elector moved permanently interstate or overseas	4 506	1 151
Letter returned undelivered	4 067	1 282
No reply	2 082	2 439

Table 3 — Non voter replies from the 1998 election compared with 1995.

Note 1: Includes electors whose postal votes or declaration votes were not admitted to the scrutiny and electors who provided valid excuses in person or by telephone or letter.

Note 2: Exact quantity not recorded for 1995.

Note 3: The number of notices sent and the number of valid reasons provided before notices sent do not sum to the total number of apparent non-voters because of inaccuracies in the scanning process.

Multiple voters

Multiple voting is an offence under the Electoral Act.

Following the detailed examination of certified lists used at polling places, declaration vote envelopes and postal vote envelopes, and after culling cases of apparent polling official error, the Commission concluded that 53 names had been marked twice off certified lists. At 30 June 1998, letters had been sent to those 53 electors seeking further information. There were 54 comparable cases of apparent multiple voting after the 1995 election.

A full report on the outcome of multiple voting investigations will be published in the Commission's 1998/99 Annual Report.

Benchmarking with other Australian electoral authorities

In 1997/98 the Australian Joint Roll Council (AJRC) progressed work on a set of cost benchmarks to facilitate comparisons between the various Australian electoral authorities.

Electoral authorities recognise that it is misleading to compare the total reported election costs across jurisdictions without heavy qualifications, owing to the variations in costing methods used by the different authorities.

In order to allow cost comparisons across jurisdictions, AJRC members have agreed to provide costs for a common series of specific election activities. These include ballot papers, cardboard voting equipment, polling place staffing, advertising, public relations, direct mail, printing and scanning electoral rolls, scrutines, training and tally rooms.

In 1998/99, the Commission will undertake a benchmarking exercise to compare its 1998 election costs with other electoral authorities.

PERFORMANCE INDICATOR

- ***The cost of electoral services in the ACT is comparable with those of other State and Territory Electoral Authorities.***

ASSESSMENT

- This will be assessed in 1998/99.

Interstate electoral services

The Commission provides pre-poll voting facilities for interstate general elections and by-elections. The electoral administrations of each State and the Northern Territory provided a similar service for ACT electors during the 1998 ACT election.

In 1997/98 the Commission issued votes for interstate elections according to the following table.

Election	Polling day	Votes
Northern Territory	30/8/97	24
South Australia	11/10/97	37
Mitcham (Vic)	13/12/97	2
Sutherland (NSW)	20/12/97	2
Queensland	13/6/98	379
Total		444

Table 4 — Votes issued by the ACT Electoral Commission for interstate elections.

In August/September 1997 the Electoral Commissioner also assisted the Northern Territory Electoral Office in Darwin with the conduct of its general election.

Miscellaneous ACT elections

Health Professions Boards Elections

No Health Professions Boards elections were conducted in 1997/98.

Australian National University elections

In 1997/98, the Commission assisted with the conduct of a number of elections for the Australian National University (ANU). All multi-member elections were conducted using the Hare-Clark system. The Commission charged for providing its services under its power to provide services for determined fees.

The ANU Students' Association annual elections were conducted in September 1997. For this election, the Commission provided assistance with preparation and printing of ballot papers, operation of polling places at the ANU and the conduct of the scrutiny. The details of the elections are as follows:

Election	Votes	Candidates	Vacancies
ANU Students' Association — President	779	3	1
ANU Students' Association — Education Officer	780	4	1
ANU Students' Association — General Secretary	778	3	1
ANU Students' Association — Treasurer	779	3	1
ANU Students' Association — Social Officer	779	2	1
ANU Students' Association — General Representatives	779	30	12
Faculty of Engineering and Information Technology — Faculty Representatives	92	3	2
Faculty of Science — Faculty Representatives	282	3	2

Table 5 — ANU Students' Association elections, September 1997.

In addition to the Students' Association elections, the Commission also provided assistance with four ANU Council elections. These were all postal ballots.

The Commission assisted with the printing of ballot papers and the scrutiny of votes for these elections. Details are as follows:

Election	Date	Votes	Candidates	Vacancies
Election of a Member of Council by Members of the Academic Staff of the Institute of Advanced Studies	10/12/97	251	5	1
Election of a Member of Council by Members of the General Staff	5/5/98	733	3	1
Election of a Member of Council by Members of the Academic Staff of the Faculties	17/6/98	226	3	1
Election of a Member of Council by Members of the Academic Staff of the Institute of Advanced Studies	30/6/98	217	2	1

Table 6 — ANU Council elections.

Southern Cross Club election

In September 1997 the Commission assisted with the conduct of an election for the Southern Cross Club. As with the ANU elections, the Commission charged for providing its services under its power to provide services for determined fees.

This was a postal ballot and the Commission's main duty for this election was counting votes. There were seven candidates for four vacancies, to be filled using Hare-Clark. In total, 3428 votes were received.

PERFORMANCE INDICATOR

- *The result of elections is known within three weeks of polling day.*

ASSESSMENT

- The result of all miscellaneous elections was known within three days of the close of polling.
- Also refer to the performance assessment for the ACT Legislative Assembly election on page 13.

PERFORMANCE INDICATOR

- *Absence of adverse findings that reflect on the performance of the Commission as a result of legal action.*

ASSESSMENT

- The Commission was not involved in any legal action or any other inquiry in 1997/98 in relation to any miscellaneous election.
- Also refer to the performance assessment for the ACT Legislative Assembly election on page 13.

Goal 2 — Support the democratic process by providing professional assistance, advice and services related to electoral matters

This Goal includes the following Aims:

- to ensure complete and accurate electoral rolls;
- to provide accurate and timely advice to clients; and
- to effectively undertake statutory requirements (such as maintaining the Party Register and the Funding and Disclosure scheme and undertaking redistributions of electoral boundaries).

Electoral roll maintenance

Enrolment

The following table shows the enrolment figures for the 1995 and 1998 elections. These figures are adjusted to include admitted declaration votes.

Electorate	1995	1998
Brindabella	58 327	61 042
Ginninderra	56 749	56 969
Molonglo	81 883	87 237
ACT Total	196 959	205 248

Table 7 — Enrolment figures for the 1998 election compared with the 1995 election.

PERFORMANCE INDICATOR

- **Audits of electoral roll indicate that at least 90% of individual elector's information is accurate from an analysis of information gained from a variety of sources including in-house and Commonwealth sources.**

ASSESSMENT

- Subtracting the number of non-voters who failed to respond to non-voters notices or who indicated they were no longer entitled to vote for ACT elections from the number of enrolled electors indicates that 97.6% of electors were correctly enrolled at the time of the election (to the extent that they were eligible to vote for their enrolled electorate).

PERFORMANCE INDICATOR

- **Number of enrolled electors is 95% of the estimated eligible population (as measured by official population estimates).**

ASSESSMENT

- The Commission estimated that, on the basis of data obtained from the Australian Bureau of Statistics, the Australian Electoral Commission and the ACT Department of Urban Services, there were 215 713 eligible citizens as at June 1998. The number of electors on the roll at 30 June 1998 was 204 842. This represents 95% of the estimated number of eligible citizens.

PERFORMANCE INDICATOR

- **Increase in the level of enrolment.**

ASSESSMENT

- The table above reveals that enrolment has increased by approximately 10 000 since the 1995 election.

Joint Roll Arrangement

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

The ACT Electoral Commission pays the Australian Electoral Commission a yearly fee for maintaining the joint roll. In 1997/98, joint roll payments totalled \$119 518, based on a cost per elector of \$0.58656. This per elector amount, down from \$0.6069 per elector for 1996/97, was negotiated in July 1997.

Electoral Roll Review

The Joint Roll Arrangement includes a requirement that the Australian Electoral Commission (AEC) must conduct an electoral roll review at least once every two years. In the future it is expected that this process will be supplemented and/or replaced by a range of targeted techniques known as Continuous Roll Update (see below).

A full habitation roll review was conducted in the second half of 1997 prior to the 1998 ACT election. Between 1 July 1997 and 31 December 1997, 13 438 net additions were made to the ACT roll, with a further 4 984 movements across electorates and 13 203 movements within electorates. (Not all of these transactions were attributable to the review.) Following the review, 11 238 electors' names were removed from the roll by objection action on the ground that the electors were no longer resident in their electorate. This roll activity contributed to the improved voter turnout at the 1998 election and the accuracy of the roll for the election.

Australian Joint Roll Council

The Australian Joint Roll Council (AJRC) is a consultative council of Electoral Commissioners and Chief Electoral Officers from the electoral authorities of the Commonwealth, States and Territories.

The AJRC achieved a commitment from the Commonwealth and all States and Territories to work towards implementing more efficient methods for updating the electoral roll than the existing method of reviewing the electoral rolls through "habitation reviews" - the process where electoral field staff visit the majority of households in a State or Territory on average every two years. These alternative methods for updating the roll are called Continuous Roll Update (CRU).

Continuous Roll Update

The ACT Electoral Commissioner is a member of the subcommittee of the AJRC charged with overseeing the implementation of CRU. Adoption of various methods to update the rolls is planned for 1998/99. These include:

- using Australia wide change of address data provided by Australia Post to generate letters to those electors needing to update their enrolment; and
- using existing electoral roll information to identify anomalies in enrolment data (for example houses with no one enrolled or houses where there are large numbers of enrolments with different surnames) to generate letters to electors at these addresses.

In the ACT, the Commission is working with the Chief Minister's Department on the possible introduction of a single change of address form for a range of ACT Government agencies. This strategy has been identified as a very cost-effective way of keeping the electoral rolls up to date, by reaching electors as they update their details with various agencies when they move address.

Advice to Government and the Legislative Assembly on electoral legislation

The Commission continued to provide advice to the Attorney General on electoral matters during the year. In particular, the Commission participated in the development of the *Electoral (Amendment) Act (No. 2) 1997* which passed through the Legislative Assembly on 13 November 1997. The Commission also provided advice on the introduction of the Community Referendum Bill 1998.

Electoral (Amendment) Act 1997

During the year in review debate resumed on the Electoral (Amendment) Bill (No. 2) 1996, introduced by MLA Michael Moore. This bill proposed extending the fixed three year term for the Legislative Assembly to a fixed four year term with elections after 1998 to be held on the third Saturday in October.

The Bill was passed on 27 August 1997 and became the *Electoral (Amendment) Act 1997*. However, the Assembly amended the Bill to retain three year terms for the Assembly. Consequently, the next ACT election is due to be held on 20 October 2001, with the following election due in 2004.

Electoral (Amendment) Act (No. 2) 1997

A second Electoral (Amendment) Bill was passed by the Assembly on 13 November 1997 following recommendations made by the Commission to the Assembly in its review of the 1995 election.

The amendments provided for improved service to electors by:

- allowing ordinary voting at pre-poll voting centres in the ACT, so that electors voting before polling day could vote without being required to complete declaration certificates;
- allowing silent electors to cast an ordinary vote at a polling place, rather than a declaration vote;
- allowing for pre-poll voting in the ACT up to 8:00 pm on Friday before polling day, rather than 6:00 pm; and
- closing the roll at 8:00 pm rather than 6:00 pm on the last day.

Other measures in the Amendment Act enhanced the independent status of the Electoral Commission, by guaranteeing that the Commission can submit an independent Annual Report and supplementary reports to the Assembly, while further measures improved services to Members of the Legislative Assembly and to registered political parties. Other machinery amendments clarified various provisions in the Electoral Act to ensure that electoral processes operated smoothly.

Community Referendum Bill

On 28 May 1998 the Attorney General presented the Community Referendum Bill 1998 to the Legislative Assembly. The purpose of this Bill is to provide for community initiated referendums to give ACT electors the power to initiate changes to ACT laws.

This Bill was similar to Community Referendum Bills introduced in 1995 and 1996. Passage of the Bill would give substantial additional functions on the Commission.

The Assembly had not debated the Bill as at 30 June 1998.

Submission to the Select Committee on the Report of the Review of the Governance of the ACT

In June 1998 the Electoral Commission made a submission to the Select Committee on the Review of the Governance of the ACT, making detailed comments on the recommendations of the Report of the Review of the Governance of the ACT that had a bearing on the mechanics of elections

or redistributions. As at 30 June 1998 the Committee had not made the Commission's submission publicly available.

PERFORMANCE INDICATOR

- *Positive feedback from clients.*

ASSESSMENT

- Feedback from the Attorney-General's Office indicated satisfaction with the Commission's electoral advice.

Provision of advice to other clients

In 1997/98 the ACT Electoral Commission responded to a wide range of requests for advice from the general public and other clients.

PERFORMANCE INDICATOR

- *All correspondence will be satisfactorily responded to within four weeks.*

ASSESSMENT

- The Commission's correspondence records indicate that all correspondence sent to the Commission's office was satisfactorily responded to within four weeks.

PERFORMANCE INDICATOR

- *Positive feedback from clients.*

ASSESSMENT

- All staff responded to general requests for information. Client feedback indicates satisfaction with this service.

PERFORMANCE INDICATOR

- *All telephone enquiries satisfactorily responded to by the next working day.*

ASSESSMENT

- The Commission adhered to its policy of responding to all telephone requests on the same or the next working day.

Register of political parties

The Electoral Commissioner keeps the Register of Political Parties for the purposes of ACT Legislative Assembly elections. At 1 July 1997 there were eight parties on the Register. Three new parties were registered during the year in review and one registered party changed its name.

One application for party registration was rejected on the basis that the proposed party name, Canberra Liberals, could be confused with or mistaken for the name, or an abbreviation of the name, of another registered party, the Liberal Party of Australia (ACT Division).

At 30 June 1998 eleven parties were included on the register with a further party having applied for registration. The registered parties were:

Australian Democrats
Australian Labor Party, Australian Capital Territory
Christian Democratic (Fred Nile) Group (formerly Call to Australia (Fred Nile) Group)
Democratic Socialist Electoral League
Liberal Party of Australia (ACT Division)
Moore Independents
National Party of Australia — ACT
Osborne Independent Group
Progressive Labour Party
The ACT Greens
The Shooter's Party (ACT)

Table 8 — Registered political parties as at 30 June 1998

Funding and Disclosure

Annual returns

Under the election Funding and Disclosure (FAD) provisions of the Electoral Act, registered political parties, Independent Members of the Legislative Assembly (MLAs), associated entities and persons who donated more than \$1500 to a party or independent MLA were required to lodge an annual return for the 1996/97 financial year by October 1997.

Eight annual returns were received from political parties, one was received from an Independent MLA, two were received from associated entities and 16 from donors. Auditing of these returns indicated substantial compliance with the Electoral Act. These returns were made available for public inspection on 1 February 1998.

Disclosure following the election

The FAD scheme also requires lodgement of election returns by broadcasters and publishers, candidates, registered political parties and other people who incur expenditure during the election (third parties). Donors who give over \$200 to candidates are also required to lodge returns. All these returns were due for lodgment on 9 June 1998.

By 30 June 1998 all 16 broadcaster and publisher returns had been received; 88 candidates returns had been lodged with 21 outstanding; 9 party election returns had been lodged with 1 outstanding; and 18 third party returns had been received. These returns and any late returns are required to be made public on 17 August 1998.

Election funding

Public funding was made available to parties, non-party groups and independent candidates contesting the 1998 election at a rate of \$1.09015 per first preference vote. To be eligible for public funding, parties, non-party groups and independent

candidates had to receive at least 2% of the formal votes cast in the election.

Election funding payments were made as follows:

Party	Amount
Australian Democrats	\$11 758.36
Australian Labor Party - ACT	\$54 287.29
Liberal Party of Australia (ACT Division)	\$74 371.12
Moore Independents	\$5 735.28
Osborne Independent Group	\$17 906.80
The ACT Greens	\$17 896.99
Alice Chu	\$1 187.17
Helen Szuty	\$1 337.61
Manuel Xyrakis	\$2 023.32
Noel Haberecht/Jacqui Rees (non-party group)	\$1 778.03
TOTAL	\$188 281.97

Table 9 — Election funding payments from the February 1998 election.

PERFORMANCE INDICATOR

- **Level of compliance with the Electoral Act by candidates, parties and non-party groups through audits.**

ASSESSMENT

- Annual returns submitted during the reporting period substantially complied with the Electoral Act. Election returns for 1998 will be audited in 1998/99.

PERFORMANCE INDICATOR

- ***Statutory deadlines are met.***

ASSESSMENT

- The Commission met all statutory deadlines in its administration of the party register and the FAD scheme. (No redistribution activity or Freedom of Information Act or Privacy Act requests occurred in 1997/98.)

One of the requirements imposed on the augmented Commission in making a redistribution is to endeavour to ensure, as far as practicable, that the number of electors in each electorate will be within the range of +/- 5% of the relevant quota at the time of the next election.

The table below shows that the Ginninderra enrolment figure varied from the quota by -5.63% at the time of the 1998 election. This indicates that the population of Ginninderra did not grow as fast as indicated by the population projections obtained by the Commission.

Redistribution of ACT electoral boundaries

A redistribution of electoral boundaries took place in 1996.

Electorate	Redistribution projections in 1996 for polling day 1998			Actual results for polling day 1998		
	Quota	Estimated enrolment	% above or below quota	Quota	Actual enrolment	% above or below quota
Brindabella	60861	61 152	+0.48%	60367	61 042	+1.12%
Ginninderra	60861	57 912	-4.85%	60367	56 969	-5.63%
Molonglo	85206	87 865	+3.12%	84514	87 237	+3.22%
ACT Total		206 929			205 248	

Table 10 — Actual enrolment figures for 1998 election compared with enrolment figures estimated for 1998 during the 1996 redistribution.

PERFORMANCE INDICATOR

- ***Timeliness and efficiency of the redistribution process.***

ASSESSMENT

- No redistribution activity took place in 1997/98.

Goal 3 — Achieve increased public understanding of, and participation in, the electoral process

This Goal includes the following Aims:

- to provide useful electoral information to the community that encourages participation in elections and referendums; and
- to develop an Access and Equity program.

Electoral education program

The Electoral Commission provides electoral education to school, community and professional groups. This program is aimed primarily at raising community awareness of the ACT's electoral system and the Legislative Assembly. These sessions include mock elections for school and community groups, conduct of school representative council elections and public service seminars.

The Commission's education sessions are often conducted in cooperation with the Legislative Assembly education officer. Students at these sessions are shown how the Members of the Legislative Assembly are elected and how the Assembly functions.

In addition to conducting face-to-face education sessions, the Commission has developed a range of printed electoral education resources for distribution to schools and community groups. This material, combined with in-service sessions for ACT teachers, is primarily aimed at providing teachers with the ability to conduct electoral education in their own classrooms. This service is part of an Australia-wide move to incorporate electoral education and civics education in regular school curricula.

The Commission also contributes to civics education activities sponsored by the ACT Chapter of the Constitutional Centenary Foundation. In 1997/98 the Commission was represented on the committee that organised the ACT Schools Constitution Convention. The Convention looked at the processes involved in constitutional change, including a mock referendum.

The Commission's education program is advertised, in conjunction with the Legislative Assembly, by direct mail-out to school and community groups, in the newsletter of the Office of Ethnic & Multicultural Affairs and by referral from other organisations.

The following table lists electoral education sessions conducted by Commission staff during the 1997/98 financial year.

Organisation type	Organisation name	Number of participants	Date
Primary Schools	St Francis of Assisi Primary School, Calwell	90	29/10/97
	Miles Franklin Primary School, Evatt	90	9/2/98
	Wanniassa Hills Primary School	90	10/2/98
	St Francis of Assisi Primary School, Calwell	90	11/2/98
	Gowrie Primary School	75	12/2/98
	Sacred Heart Primary School, Pearce	120	16/2/98
	Sacred Heart Primary School, Pearce	120	12/3/98
Secondary Schools	St Francis Xavier High School, Florey	25	11/11/97
	Melrose High School, Pearce	600	6/2/98
	Melba High School	25	11/3/98
	ACT Schools Constitution Convention	106	23/10/97
Colleges	St Peters Catholic College, Isabella Plains	18	2/9/97
	The Canberra College, Woden Campus	200	16/2/98
	St Clare's College, Griffith	30	13/3/98
Community Groups	Pinnacle Probus Club	50	9/2/98
	North Belconnen Uniting Church	15	18/2/98
	North Belconnen Uniting Church	15	19/2/98
	Probus Club of East Canberra	30	14/5/98
Professional Groups	Legislative Assembly — Public Service Seminar	27	1/5/98
Total	18 groups	1816	

Table 11 — Electoral education provided to organisations during 1997/98

PERFORMANCE INDICATOR

- *Increase in demand for information and education programs as compared with the previous year.*

ASSESSMENT

- The Commission reached 1816 participants in 18 groups in electoral education sessions in 1997/98 compared with 1326 participants in 10 groups in 1996/97. The Commission, in cooperation with the Legislative Assembly Education Office, met all requests to deliver education sessions in 1997/98.

PERFORMANCE INDICATOR

- *Increase in requests for running elections for Students Representative Councils or School Parliaments as part of the school program.*

ASSESSMENT

- None of the elections conducted for school groups were elections for school councils or parliaments; they were all mock elections.

PERFORMANCE INDICATOR

- ***Positive feedback from clients.***

ASSESSMENT

- Through structured and informal feedback mechanisms, the Commission has received positive comments, both verbally and in writing, on its work. This feedback has come from students, teachers and other workers in the electoral education field.

1998 election community education campaign

Introduction

In the lead up to the election the Commission embarked on an extensive communication campaign to ensure electors were informed that the election was imminent. The campaign was aimed in particular at increasing voter turnout and reducing informal voting. It also emphasised enrolment, pre-poll voting, the ban on canvassing outside polling places and how to cast a valid vote.

The information campaign communicated several messages to ACT electors. These were:

- informing ACT electors that there would be an election for the ACT Legislative Assembly on 21 February 1998;
- encouraging eligible citizens to enrol for the first time or to update their address details before the roll closed on 23 January 1998;
- informing electors they would be voting for one of three electorates;
- informing electors of the alternatives to voting on polling day for those unable to get to a polling place on polling day;
- identifying the locations of polling places;
- explaining the requirements for casting a formal vote;

- informing electors that voting is compulsory; and
- informing electors about the ban on how-to-vote cards outside polling places.

Communications strategy

The Commission employed a public relations consultancy firm, Michels Warren, and an advertising agency, Grey Advertising, to assist in the development and delivery of its communication strategy.

The information campaign comprised several different stages, with each stage including a range of communication methods. These included advertising on radio and television, advertising in newspapers and cinemas, direct mail to all households, public relations activities, and special activities aimed at electors from non-English speaking backgrounds and print-handicapped electors.

The first stage of the information campaign commenced on 5 December 1997 with a media briefing. Over the following two months the Commission worked to increase awareness of the coming election by briefing journalists and political participants, and by generating news stories in the media.

The media briefing was followed on 7 December 1997 by the beginning of radio, television and newspaper advertising. This stage of the campaign was primarily aimed at informing voters of the date of the election and encouraging eligible citizens to enrol for the first time or to update their address details before the roll closed on 23 January 1998.

The second stage of the campaign commenced in mid January 1998, concentrating on the close of rolls on 23 January. The third stage of the campaign began in the first week of February focussing on those messages directly related to voting, and ended on polling day. Again, radio, television and

newspaper advertising was combined with public relations activities.

A booklet was delivered to all ACT households in the second week of February. This booklet included detailed information about the voting system, Robson rotation, how to mark the ballot paper, facsimiles of the ballot papers, information about the ban on how-to-vote cards, lists of polling places and pre-poll voting centres, a list of the suburbs in each electorate and a map of the electorates.

Throughout the information campaign period, an information telephone line was set up to answer electors' enquiries. The information line answered around 8600 calls.

The information campaign concluded on polling day 21 February 1998 with a four page lift-out election guide in the Canberra Times.

Public relations activities

A wide range of public relations activities was undertaken during the election campaign. These activities succeeded in generating a large amount of positive coverage of the Commission's election messages. Public relations activities included:

- arranging briefing sessions for MLAs, their staff, registered political parties, candidates and the media;
- issuing 24 media releases;
- arranging mail outs to secondary colleges aimed at getting enrolment information and forms to college students;
- setting up media interviews; and
- arranging photo opportunities in order to draw attention to the close of rolls and the ban on canvassing within 100 metres of a polling place;

For information on activities aimed at specific groups, refer to the section on *Access and Equity* on page 30.

Market research

To ensure the communications strategy was pitched appropriately, research was undertaken in the lead up to the election and on polling day. This research was similar to that undertaken for the 1995 election.

Detailed findings of the research are tabulated at Appendices 1-9.

Two telephone surveys were conducted in January and February 1998 and an exit poll was undertaken at polling places to measure electors' electoral knowledge and satisfaction with the election service. Results show that the election advertising campaign and public relations campaign were effective. There was an increase in awareness about the election at each stage of the research. The increase in voter turnout and the marked reduction in informal voting are further indicators of the success of the communication campaign.

The research also showed that there was a high level of satisfaction with the services provided by the Commission at polling places.

The Commission found that its brochure delivered to all ACT households was particularly effective for imparting more complicated messages about the election.

While the research showed a high level of awareness of the new ban on how-to-vote cards, it also showed that knowledge of more difficult concepts such as Robson rotation was not as broad. This may indicate that voters are more likely to take note of electoral details that are directly relevant to them and less likely to absorb the more technical details.

The Commission intends to examine the effect of Robson rotation in its election review. This research may indicate that there is a need for greater public education on Robson rotation and other aspects of Hare-Clark.

PERFORMANCE INDICATORS

- *Pre-election phone polls indicate increased awareness of voters following our education campaigns.*
- *Level of awareness among the community as indicated by the result of pre- and post-poll surveys.*

ASSESSMENT

- Market research indicated that there was an increase in awareness about the election at each stage of the research.

Access and Equity

The Commission implemented its Access and Equity program for the 1998 Legislative Assembly election. The following strategies were adopted for the election:

- continuation of the electoral education program, particularly focusing on young people and community groups;
- provision of electoral information material in a range of community languages, to be disseminated to the migrant community through bi-lingual educators, printed materials, ethnic radio and ethnic organisations;
- employment of 150 polling staff with multilingual skills;
- provision of electoral information in English on audio tape and on print-handicapped radio;
- provision of services to disabled people such as specific information in newspapers and brochures delivered to all households on disabled access and help at polling places;

- of the polling places used on polling day and for pre-poll voting, 36 out of 83 (or 43%) had disabled access; and
- facilitating alternative forms of voting for those who have difficulty in reaching a polling place.

Activities aimed at non-English speaking audiences

Several activities were aimed at people from non-English speaking backgrounds.

The Commission once again employed bi-lingual educators to provide information to their communities. A total of 10 educators from 9 language groups were employed. These educators conducted 54 sessions which were attended by approximately 860 people. They also distributed pamphlets and other election information which had been translated into their own language. Several of the educators were also interviewed on various ethnic radio programs.

This strategy was successful in getting messages about the election to people who would be missed by the mainstream media.

Translation services were also provided at various institutions during mobile polling.

In addition, information about the election was translated into 12 community languages and provided to 2XX for broadcasting. Advertisements about the election were included in various newsletters and newspapers circulated to ethnic communities in the ACT.

PERFORMANCE INDICATOR

- *Positive feedback from clients.*

ASSESSMENT

- Electors who attended sessions conducted by bi-lingual educators expressed their appreciation of the service provided.

PERFORMANCE INDICATOR

- *Number of electors who access non-English speaking background services provided for the 1998 election is greater than for the 1995 election.*

ASSESSMENT

- Although the number of sessions conducted by bi-lingual educators increased from 28 in 1995 to 54 in 1998, the number of people attending sessions reduced from 1023 to approximately 860. It is not possible to estimate the number of people who read the information provided or who listened to radio broadcasts.

Print-handicapped audience

The Commission made arrangements with Print Handicapped Radio 1RPH for an information broadcast to be recorded.

PERFORMANCE INDICATOR

- *Proportion of non-voters in target groups after the 1998 election is less than for the 1995 election.*

ASSESSMENT

- Comparative data for target groups is not available. However, the significant overall reduction in the number of non-voters would indicate this performance indicator was met.

PERFORMANCE INDICATOR

- *Number of target group members reached by programs delivered.*

ASSESSMENT

- The programs delivered were centred around radio and printed information. It is difficult to ascertain the number of people who listed at the relevant time, or who actually read our information.

Tally room

The 1998 Legislative Assembly election tally room provided electoral results to the candidates, the media and the public in an accessible, timely and cost efficient manner. As in 1995, the tally room was situated at the gymnasium of the Reid Campus of the Canberra Institute of Technology.

The election computer system used in 1995 was again used in 1998. This system allowed election results to be available both electronically and on the tally board in a timely manner. A computerised enquiries facility enabled the media, the public and the candidates to view election results on monitors around the room. This system was the subject of much positive comment. The total count of first preference votes from all polling places was available by around 10:30 pm on election night. The count of around 23 000 pre-poll votes was completed on election night after the tally room closed.

PERFORMANCE INDICATOR

- *We receive positive feedback from clients and staff through face-to-face interviews and debriefing sessions*

ASSESSMENT

- The tally room was the subject of positive feedback from both clients and staff, especially the media.
- Also refer to the performance indicator assessments relating to *Voting at polling places* on page 11 and to *Market research* on page 29.

Internet site

The Commission has continued to update its internet site with information on the Commission, the Hare-Clark electoral system, enrolment, electoral boundaries and the 1995 and 1998 elections. The Commission's past three annual reports are also available on the Internet. The Commission's homepage address is: www.dpa.act.gov.au/actelect

Goal 4 — Ensure best possible management practice

This Goal includes the following Aims:

- to provide satisfying work and development opportunities for all staff;
- to foster an environment of continuous improvement;
- to ensure that financial management systems and procedures meet the Commission's and the Government's requirements; and
- to foster a culture that practises the principles of Industrial Democracy (ID), Equal Employment Opportunity (EEO), and Occupational Health and Safety (OH & S).

Satisfying work and development opportunities

The 1998 Legislative Assembly election provided development opportunities for permanent staff of the Commission. In addition, the secondment of staff from other agencies within the ACT public service provided development opportunities for those staff who then took their new skills and knowledge back to the departments, thus increasing the electoral knowledge across the ACT government as a whole.

The expenditure for training, as outlined in the following tables, was \$22 800, which represents approximately 3.3% of the total

salaries for the year of \$682 317, made up of salaries, allowances and overtime. The training expenditure does not include permanent staff time in producing manuals or conducting training sessions.

Permanent staff training and development

During 1997/98 three permanent staff members of the Commission attended staff training and development programs.

All permanent staff have completed performance agreements.

The following table sets out the training expenditure by the Commission for the 1997/98 financial year.

Staff member	Course name	Cost
ASO 4	Tax workshop and seminar	\$345
ASO 6	Public sector management course (attendance will continue into next financial year)	\$4250
	Public service seminar number 2	\$25
	Public service seminar number 3	\$25
	Public service seminar number 4	\$25
	Introduction to ORACLE/general ledger	\$100
	ORACLE accounts payable	\$200
	ORACLE accounts receivable	\$100
	Tax workshop and seminar	\$345
SOG C	A strategic approach to Public Service ethics seminar	\$50
Total		\$5465

Table 12 — Training courses attended by permanent staff of the Electoral Commission in 1997/98

Election training

To enable the efficient conduct of the election, all polling officials and casual staff received appropriate training.

All polling officials, with the exception of scrutiny assistants, received a manual and a home workbook, which was expected to be completed prior to commencing duties.

Senior polling officials attended a face-to-face training session. These were conducted by permanent and seconded staff. The format of the sessions was different from previous elections, with the focus being on practical exercises. Staff were appreciative of the change.

All casual and polling staff who did not attend a session were given a briefing prior to commencing duties.

A full evaluation of training will be conducted in the next financial year; however, initial indications are that the overall training and manuals are a substantial improvement on past elections.

The following table lists the face-to-face sessions conducted.

Session type	Number of sessions	Number of participants
Inquiry staff	2	8
Interstate voting staff	1	4
Mobile polling staff	1	8
Polling place managers	8	128
Polling area managers	1	7
Postal voting staff	1	3
Pre-poll staff	1	4
Total	15	162

Table 13 — Training sessions conducted for polling officials and casual staff for the 1998 election.

The following table outlines the cost of election training.

Item	Cost
Manuals	\$3 522
Workbooks	\$2 018
Hire of training venues	\$375
Training allowances for participants	\$11 420
Total	\$17 335

Table 14 — Cost of election training.

PERFORMANCE INDICATOR

- **Feedback from staff through regular meetings and performance agreements indicates that the aims are being achieved.**

ASSESSMENT

- Feedback indicates that staff members consider that satisfying work and development opportunities exist for all staff.

PERFORMANCE INDICATOR

- **Extent to which training and development needs are identified as appropriate through performance agreements, and the extent to which training and development increase skills and job performance as indicated by performance assessments and post-course evaluation.**

ASSESSMENT

- The extent to which skills and job performance of permanent staff have increased through training and development is indicated by the very significant savings achieved for the 1998 election through development of in-house computer systems, training materials and procedures manuals.
- An evaluation of the training provided to 1998 polling officials will be conducted in 1998/99.

Continuous improvement

In its day-to-day activities and its long-term planning, the Commission aims to foster an environment of continuous improvement. The demonstrable savings and efficiencies achieved at the 1998 election outlined elsewhere in this report indicated that the Commission succeeded in meeting this aim in 1997/98. Some strategies undertaken in 1997/98 to facilitate improvement in the Commission's work environment included:

- individual staff skills audits and subsequent skills training;
- development of various in-house systems to facilitate the conduct of the 1998 election;
- participation in the process of developing benchmarking criteria and reporting against these criteria with other electoral bodies;
- maintenance of performance agreements for all members of staff; and
- the continuing practice of an open and participative decision making process as well as comprehensive information sharing at all levels.

PERFORMANCE INDICATOR

- *The Commission's performance compares favourably with national and interstate benchmarks.*

ASSESSMENT

- This will be assessed in 1998/99.

Financial management systems

The ACT Government's experience with accrual accounting in 1997/98 also presented Commission staff with new challenges and the opportunity to expand their financial management skills.

PERFORMANCE INDICATOR

- *Feedback from the Electoral Commission, the Department and the Minister.*

ASSESSMENT

- Feedback from the Electoral Commission members and the Department of Justice and Community Safety indicates that the Commission's finances have been well maintained, that the Commission has complied with financial regulations and that the Commission has met deadlines for financial reporting and payments of accounts.

PERFORMANCE INDICATOR

- *Compliance with financial regulations as evidenced by the results of Government Audit Office audits.*

ASSESSMENT

- Audits have revealed compliance with financial regulations.

PERFORMANCE INDICATOR

- *All requests for financial reports and payments of accounts are completed by the required deadline.*

ASSESSMENT

- Requests for financial information from the Department were provided on time. Accounts were paid according to due dates on invoices.

Principles of ID, EEO and OH&S

Industrial Democracy

The Commission recognises that industrial democracy is a tool for improving the quality of the decision making process and for enhancing the quality of working life and the delivery of service. As the Commission is a small organisation, all staff meet in regular forums to participate in decision making. These include weekly staff meetings and corporate and strategic planning workshops.

Equal Employment Opportunity

The ACT Electoral Commission is an Equal Employment Opportunity (EEO) employer and recognises the necessity of discouraging all forms of discrimination and ensuring the effective use of the abilities and skills of staff from diverse backgrounds.

The Commission has adopted the Department of Justice and Community Safety's EEO policy.

The following table provides statistical information for Members of the Commission and permanent staff of the Commission as at 30 June 1998:

Classification	Female	Male	NESB
Chairperson		1	
Commissioner		1	
Acting Commissioner	1		
Member	1		
SOG C		1	
ASO 5	1		1
Total	3	3	1

Table 15 — Electoral Commission staff by EEO groups

Note: There were no staff in either the disabled or Aboriginal & Torres Strait Islander categories.

A total of five staff were seconded for the election period from other ACT agencies and from the Australian Electoral Commission. Their EEO statistics are outlined in the following table.

Classification	Female	Male	NESB
SOG C	1		
ASO 6	1		
ASO 5	1	1	
ASO 2		1	
Total	3	2	0

Table 16 — Seconded staff by EEO groups

Note: There were no staff in either the disabled or Aboriginal & Torres Strait Islander categories.

A total of 794 staff were employed as casuals or polling officials, or both. Their EEO details are as follows:

EEO Category	yes	no	not stated
Aboriginal & Torres Strait Islander	3	750	41
Disabled	13	740	41
Non English Speaking Background	79	663	52
	female	male	not stated
Gender	413	365	16

Table 17 — Casual staff by EEO groups

PERFORMANCE INDICATOR

- **Achievement of targets as specified in ACTGS EEO plan.**

ASSESSMENT

- The Commission has adopted the Department of Justice and Community Safety's EEO plan. All targets relevant to the Commission have been achieved.

Occupational Health and Safety

In maintaining the office and in planning for the election, the Commission gave careful consideration to occupational health and safety principles and practices. In the lead-up to the 1998 election, occupational health and safety principles were taken into account when searching for office space to accommodate additional staff. The Commission has a designated qualified first aid officer and a fire warden.

There were two work-related accidents in 1997/98. The first was a car accident involving a casual staff member who was uninjured when the stationary car in which she was the driver was hit by another vehicle. The second involved another casual staff member whose bicycle brakes failed on his way to work, resulting in a broken arm.

PERFORMANCE INDICATOR

- *Extent to which incidences of work-related illness and injury to staff occur.*

ASSESSMENT

- There were two work-related accidents in 1997/98, however both were road accidents outside the work place.

PERFORMANCE INDICATOR

- *Feedback from staff through regular meetings, and performance agreements indicates that the aims are being achieved.*

ASSESSMENT

- Informal feedback indicates that staff members consider that the culture of the Commission strongly promotes ID, EEO and OH&S.

Part B — Financial and Performance Reporting

The Commission is attached to the Department of Justice and Community Safety for administrative purposes. In the departmental structure for 1997/98, the Commission is included as Output Class 8, Output 8.1 Electoral Services.

The Electoral Commission has been audited for the purposes of the *Audit Act 1989* as part of the Department of Justice

and Community Safety. The financial transactions for the Commission for 1997/98 are formally reported in the consolidated financial statements included in the Department of Justice and Community Safety's Annual Report.

The following financial statement is presented for information.

	Budget (\$ '000)	Variation ¹ (\$ '000)	Outcome (\$ '000)
Revenue²			
Government payment for outputs	2 328	2 328	2 312
Liabilities assumed by Government	81	81	65
Resources received free of charge	7	7	8
Interest	0	0	3
Other	0	0	48
Total revenue	2 417	2 417	2 436
Expenditure³			
Employee expenses	778	871	905
Administrative expenses	1 610	1 517	1 088
Depreciation and amortisation	16	16	6
Interest	0	0	0
Other expenses	26	26	0
Total expenditure	2 431	2 431	1 999
Operating result	-13	-13	437

Table 18 — 1997/98 Operating Statement: Output 8.1 — Electoral Services

Note 1. The variation column represents an adjustment from the 1997/98 budget papers to reflect the transfer of \$93 000 from Administrative expenses to Employee expenses for remuneration of the part-time Commissioners and to cover the extra cost of staffing for the Molonglo recount.

Note 2. Up to 30 June 98 the Commission received revenue on behalf of the Territory of \$25 020 from non-voter penalties that is not reflected in this table.

Note 3. This table includes costs incurred by the Department of Justice and Community Safety on electoral services. These costs include Ministerial, corporate, finance and information technology services

Details of 1997/98 expenditure

The following more detailed breakdown of expenditure for 1997/98 lists expenditure incurred on an accrual basis by the ACT Electoral Commission only. It does not include expenditure incurred on electoral services by the Department of Justice and Community Safety.

Non-election administrative expenses	outcome (\$)
Accommodation	55 661
Advertising	2 729
Computers — leasing, repairs, maintenance and other costs	13 381
Consultants and contractors — computing	5 756
Consultants and contractors — other	2 760
Joint roll costs and printing of rolls	120 954
Miscellaneous	2 527
Office machines and furniture — purchases, repairs and maintenance	4 988
Postage and freight	1 687
Printing	3 882
Storage	281
Supplies and stationery — general	1 993
Telephones	7 288
Training	1 190
Travel	5 347
Vehicle hire	10 432
Total non-election administrative expenses	240 856
Non-election employee expenses	
Fringe benefits tax	6 260
Leave entitlements (unfunded)	53 676
Productivity superannuation	6 249
Remuneration of part-time Commission Members	50 001
Salaries	241 873
Superannuation liability (unfunded)	63 783
Workers compensation	6 398
Total non-election employee expenses	428 240
Total non-election expenditure	669 096

Table 19 — Detailed statement of non-election expenditure for 1997/98

Election administrative expenses	outcome (\$)
Accommodation	67 583
Advertising and public relations	187 120
Ballot papers	45 364
Cardboard polling equipment	14 196
Casual staff administration charges	15 446
Computers — leasing, repairs, maintenance and other costs	61 955
Consultants and contractors — other	4 470
Election funding payments to parties and candidates	188 282
Market research	17 508
Miscellaneous	2 689
Office machines and furniture — purchases, repairs and maintenance	6 420
Postage and freight	45 145
Printing	95 484
Scanning	17 038
Storage	3 834
Supplies and stationery — general	5 918
Tally room	8 707
Telephones	13 792
Travel	26 863
Vehicle hire	4 904
Total election administrative expenses	832 718
Election employee expenses	
Productivity superannuation	20 746
Salaries — including overtime and meal allowances	422 326
Secondment costs	2 028
Total election employee expenses	445 100
Total election expenditure	1 277 818

Table 20 — Detailed statement of election expenditure for 1997/98

Reporting outcomes against performance indicators set out in 1997/98 budget papers

This section reports on the Commission's performance in 1997/98 in terms of the following performance indicators set out in the 1997/98 budget papers.

Output 8.1 Electoral Services		Price (\$'000): 2,312.4	
Description:			
This output provides for:			
<ul style="list-style-type: none">the conduct of elections and referendums and for the provision of electoral advice and services to a wide 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.the redistribution of electoral boundaries and other services including the maintenance of the party register, the Funding and Disclosure scheme, electoral education programs and the provision of electoral roll information.			
Measures:	Target	Result	Variation
Quantity			
<ul style="list-style-type: none">Number of people on the electoral roll	207,000	204,842 ①	-1%
<ul style="list-style-type: none">Number of votes issued for other State elections	200	444 ②	+122%
Quality/Effectiveness			
<ul style="list-style-type: none">Elections and referendums will be conducted in accordance with the relevant legislation to the standards set out in the Electoral Commission’s Strategic Plan.	100%	100% ③	0%
<ul style="list-style-type: none">Proportion of eligible citizens on the electoral roll.	95%	95% ④	0%
<ul style="list-style-type: none">Election turnout of enrolled voters.	90%	92% ⑤	+2%
<ul style="list-style-type: none">The electoral roll contains accurate information.	90%	98% ⑥	+8%
<ul style="list-style-type: none">The Electoral Commission provides a high quality service to its clients.	95%	96% ⑦	+1%
Timeliness			
<ul style="list-style-type: none">Election results will be finalised within 3 weeks of polling day.	95%	67% ⑧	-28%
Cost			
<ul style="list-style-type: none">Average cost per elector per year for the maintenance of the electoral roll.	\$0.68	\$0.59 ⑨	-13%
Total Cost: (\$'000)	\$2,431.0	\$1,999.0 ⑩	-18%

Notes on 1997/98 results:

1. This is the ACT enrolment figure as at 30 June 1998.
2. Achievement of this target varies depending on the number of elections that are called, the timing of elections that do not have fixed dates, and the number of interstate electors that come to vote at the ACT Electoral Commission. Refer to *Interstate voting* on page 12.
3. Professional judgement based on operational experience is used to determine the result of this measure. See Part A of this report.
4. Estimated using information provided by the Department of Urban Services, the Australian Electoral Commission (AEC) and the Australian Bureau of Statistics. Refer to *Enrolment* on page 20.
5. This is the election turnout for the 1998 ACT Legislative Assembly election. Refer to *Voting* on page 10.
6. This is the result from the February 1998 ACT Legislative Assembly election, calculated by adding the number of people who voted to the number who responded to non-voters notices and dividing the result by the number on the roll. Refer to *Enrolment* on page 20.
7. Feedback from Ministerial briefings indicated that the Attorney General was satisfied with the Commission's service during the period. Organisations for whom electoral services were provided indicated satisfaction with the service provided. Feedback from market research surveys indicated that at least 96% of voters were satisfied with the Commission's service.
8. The Commission conducted 3 elections during the year. These were for the ACT Legislative Assembly. Two of these, Brindabella and Ginninderra, were completed within 3 weeks. Molonglo was completed one day over the target. Refer to *Vote counting* on page 13 and *Miscellaneous ACT elections* on page 17.
9. The cost per elector is calculated by adding the total expenditure on joint roll payments to the AEC and printing of rolls and dividing the result by the number of people on the roll. A review of the joint roll financial arrangements has reduced the cost of the maintenance of the electoral roll.

The reported cost measure does not account for the total cost for this output (ie the relevant quantity multiplied by the cost measure does not equate to the total cost). The cost indicator does not attempt to cover every element of the output. Other expenditure of around \$1.8m was incurred on various electoral services, in particular the conduct of the 1998 ACT Legislative Assembly election.
10. Significant savings were made for the following reasons. The original target was based on the 1995 election which included a referendum. The cost of the referendum is estimated to be approximately \$200,000. The 1995 election was the first conducted by the ACT Electoral Commission and required substantial setting up costs and the use of seconded staff from the AEC. Changed procedures resulted in the employment of fewer staff and the use of fewer certified lists, which reduced the cost of both printing and scanning. Forms, materials and equipment were re-used from the 1995 election resulting in lower costs for cardboard polling equipment, printing, stationery and general supplies. The leasing and maintenance costs of computer equipment, office machines, telephones and premises were lower than expected. The cost of printing ballot papers was also lower than expected. There was also a saving associated with renegotiating the joint roll arrangement with the AEC.

Part C — Whole of Government Issues

Key Issues

Customer focused public service

The Electoral Commission is a participant in the ACT government's customer commitment program. The Commission's commitment to service statement is available at the Commission's counter. Telephone protocols were updated prior to the election and copies provided to all staff. Complaint handling procedures were developed and implemented during the year. The Commission's strategic plan has several performance indicators relating to customer service. These have been reported in Part A of this report.

All inquiry service staff received a copy of the ACT public service customer service standards, the Commission's commitment to service statement and telephone protocols, and were trained in the implementation of these. An abbreviated version of the customer service standards was included in all polling official manuals.

All of the Commission's standards and procedures will be reviewed to consider any issues which arose from the 1998 election.

After the 1995 ACT Legislative Assembly election, the Commission reviewed and recommended changes to electoral legislation to improve the election process. Recommendations implemented which dealt directly with customer service included:

- extension of roll closing time until 8:00 pm on the last day;
- pre-poll voting centres remaining open until 8:00 pm on the last day of pre-polling; and

- ordinary votes instead of declaration votes issued at pre-poll voting centres.

In addition, a polling place was opened at the Canberra Show.

The Commission received several positive appraisals for its high quality performance, specifically in relation to the conduct of the 1998 ACT Legislative Assembly election, prompt action and replies to complaints and problems which arose, and the high standard customer service provided by the election inquiry team.

Customer feedback on the electoral education program has indicated that customers are very satisfied with the program delivery, resources and content. Customer evaluation has also provided the Commission with ideas on how to improve the education program.

The Commission employed a market research company to conduct extensive market research into the 1998 Legislative Assembly election. For details refer to page 29 of this report.

Fraud prevention and detection

The Commission continued to employ the following fraud prevention strategies in 1997/98:

- continued improvement of office administration procedures;
- continuation of a code of conduct relating to the use of information technology particularly as it relates to electoral roll information;

- continuation of the use of standard procedures when witnessing an application for enrolment, including the implementation of these procedures by polling staff; and
- during the election particular attention was paid to ballot paper fraud and staff were trained in measures to ensure that this did not occur.

Equal Employment Opportunity

The Commission's commitment to EEO is discussed above under *Principles of ID, EEO and OH&S* on page 34.

Resources

Staffing profile

The Commission operates with a permanent staff of four, including the Electoral Commissioner.

The Commission's permanent staff are supplemented during election periods by additional staff employed under the Public Sector Management Act and the Electoral Act.

Staff are also seconded from other organisations, such as the Australian Electoral Commission, State electoral authorities and other ACT government departments.

At pay 26, 1997/98, the Commission had the following full time staff members:

Title	Classification	Female	Male	Category	Employment authority
Electoral Commissioner ¹	Executive Officer, statutory office holder	1	1	permanent	Electoral Act
Deputy Electoral Commissioner	Senior Officer Grade C		1	permanent	Public Sector Management Act
Project and Policy Officer	Administrative Officer Grade 5	1		permanent	Public Sector Management Act
Election Casual		5	2	casual	Electoral Act
Totals		7	4		

Table 21 — Staff of the ACT Electoral Commission

Note 1: At 30 June 1998, the Commissioner was on leave and all other permanent staff were acting in higher positions.

Workers compensation

There were two workers compensation claims during the reporting period. Neither of these involved time off work. Refer to *Occupational Health and Safety* on page 36 for details.

Training and staff development

The Commission's activities relating to training and staff development are discussed above under *Satisfying work and development opportunities* on page 32.

Consultancy and contractor services

In the course of the 1997/98 financial year the Commission employed the following consultants and contractors for services related to the 1998 Legislative Assembly election:

- Michels Warren for public relations services at a cost of \$33 825.
- Grey Advertising Canberra Pty Ltd for advertising production services at a cost of \$66 539 (including media production costs).
- Market Attitude Research Services for research services at a cost of \$17 300.

- Australian Electoral Commission for the scanning of certified lists at a cost of \$17 038.
- Leigh-Mardon Pty Ltd for the printing of ballot papers at a cost of \$45 364.

Capital works management

The Commission did not undertake any capital works projects in 1997/98.

Passenger vehicles

The Commission has a single 6 cylinder passenger vehicle. This is the same number of vehicles as the previous year.

Contact officer

For further information about the ACT Electoral Commission or any matters raised in this Annual Report, please contact:

The Deputy Electoral Commissioner
ACT Electoral Commission
Plaza Level
Allara House
50 Allara Street
Canberra City ACT 2601

Telephone (02) 62050224

or write to:
PO Box 272, Civic Square ACT 2608.

Statutory Requirements

Occupational Health and Safety

The Commission's commitment to OH&S is discussed above under *Principles of ID, EEO and OH&S* on page 34.

Commissioner for the Environment

The Commission has not contributed to the *State of the Environment Report* in 1997/98. Commission activities have not had a significant environmental impact. The Commission has not been the subject of an investigation by the Commissioner for the Environment.

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 the Department of Justice and Community Safety.

During 1997/98 no public interest disclosures related to the Electoral Commission were lodged.

Government Contractual Debts (Interest) Act 1994

The *Government Contractual Debts (Interest) Act 1994* applied to all contracts entered into by the Electoral Commission during 1997/98.

Freedom of Information Act Section 7 Statement

The following statement is correct as at 30 June 1998 and is included in the report as a requirement under section 7 of the *ACT Freedom of Information Act 1989*.

Electoral Act 1992

The *Electoral Act 1992* (the Electoral Act) provides for the establishment of the ACT Electoral Commission and confers a range of powers and functions related to the conduct of elections on the Electoral Commission, the Electoral Commissioner and other officers.

Establishment

The Australian Capital Territory Electoral Commission (the Commission) was established as a statutory authority under the Electoral Act. The Commission consists of the Chairperson, the Commissioner and one other Member. The Members are appointed for terms not exceeding five years and are eligible for reappointment.

Functions

Functions of the Commission under the Electoral Act include:

- the conduct of redistributions of ACT electoral boundaries after each general election of members of the Legislative Assembly;
- advising the Minister on electoral matters;
- considering, and reporting to the Minister on, electoral matters referred to it by the Minister;
- promoting public awareness of electoral and Assembly matters through education and information programs;

- providing information and advice on electoral matters to the Assembly, MLAs, the Executive, the head of any administrative unit of the Public Service, Territory authorities, political parties and candidates at elections;
- conducting and promoting research into matters relating to elections or other matters relating to its functions;
- the publication of material on matters relating to its functions;
- the provision of goods and services to persons and organisations upon payment of the determined fee (if any), to the extent that it is possible to do so by using information or material in its possession or expertise acquired in the performance of its functions;
- the performance of all other functions conferred on it by or under the Electoral Act or any other law of the Territory; and
- the conduct of ballots for prescribed persons and organisations.

Arrangements for public participation in decision making

Avenues for public participation in decision making include public submissions on proposed changes to electoral boundaries, and access to official documents through the FOI process.

Powers

The Commission has the following powers:

- It may do all things necessary or convenient to be done in connection with the performance of its functions (section 9 of the Electoral Act).
- It shall cause a Redistribution Committee to be formed for the purposes of the conduct of a redistribution of electorates (section 39 of the Electoral Act).
- It shall appoint a person to serve on a Redistribution Committee, being a person whose qualifications and experience would, in the opinion of the Commission, enable the person to assist the Committee (section 39 of the Electoral Act).
- The Electoral Commission shall review a decision made by the Commissioner on application by a person affected by a reviewable decision (section 247 of the Electoral Act).
- Before making a decision on the review of a reviewable decision, the Electoral Commission may, on the application of a person affected by the decision, make a written order staying or otherwise affecting the operation or implementation of the decision or part of the decision (section 247 of the Electoral Act).
- The Electoral Commission may make an order whether or not an application for the review of the relevant decision has been made to the Commission (section 247 of the Electoral Act).
- On the review of a reviewable decision, the Electoral Commission shall affirm the decision; vary the decision; or set aside the decision and substitute its own decision (section 247 of the Electoral Act).
- The Electoral Commission shall give written notice of its decision on a review to each person to whom a review statement about the relevant decision was given under this Act; and the applicant for the review (section 248 of the Electoral Act).

A Redistribution Committee formed by the Commission is chaired by the Electoral Commissioner, and has the following powers:

- To invite public suggestions relating to a redistribution and invite public comments on those suggestions (section 41 of the Electoral Act).

- Before making a proposed redistribution, it may cause an outline of its proposal to be made available to the public (section 42 of the Electoral Act).
- To propose a redistribution of electorates, and to state the reasons for its proposals in writing (section 43 of the Electoral Act).
- To cause details of its proposed redistribution to be made public, and to invite public objections to its proposal (section 44 of the Electoral Act).

A Redistribution Committee is dissolved immediately after publishing the details of its proposed redistribution (section 45 of the Electoral Act).

For the purposes of each redistribution, an **augmented Electoral Commission** is established consisting of members of the Commission and the members of the Redistribution Committee formed for the purposes of the redistribution. An augmented Commission has the following powers:

- To investigate each objection made to a Redistribution Committee's proposal. For the purpose of investigating an objection, an augmented Commission may hold a public hearing (section 49 of the Electoral Act).
- To make a proposed redistribution of electorates after completing any investigations of objections (section 50 of the Electoral Act).
- To cause details of its proposed redistribution to be made public and, if it is of the opinion that its proposed redistribution is significantly different from the Redistribution Committee's proposal, it shall invite public objections to its proposal (section 51 of the Electoral Act).
- To investigate each objection made to its proposal. For the purpose of investigating an objection, an augmented Commission may hold a public hearing (section 52 of the Electoral Act).
- After completing any investigation required into an objection to its proposal, an augmented Commission shall redistribute electorates by determining the names and boundaries of each electorate and the number of members to be elected from each electorate (section 35 of the Electoral Act).
- After redistributing electorates under section 35, an augmented Commission shall submit a report concerning the redistribution to the Minister, make copies of the report available to the public and make a public announcement to the effect that the redistribution has been made (section 53 of the Electoral Act).

Categories of documents

- The Commission's Annual Reports.
- Reports made by Redistribution Committees and augmented Commissions.
- Enrolment statistics related to redistributions of electorates.
- Public submissions related to redistributions of electorates.

Powers of the Electoral Commissioner and other officers

Electoral rolls

The Commissioner shall keep electoral rolls for the Territory which consist of separate rolls for each electorate and they may be kept electronically (section 57 of the Electoral Act).

- The Commissioner shall make available to the public printed extracts from each electoral roll for inspection only and free of charge, at the office of the Commissioner during office hours or any other place so determined by the Commissioner (section 60 of the Electoral Act).
- The Commissioner shall supply two printed copies of the roll for an electorate to each MLA and the registered officer of each registered party upon their request (section 61 of the Electoral Act).
- The Commissioner shall provide roll extracts in electronic form to MLAs and registered officers of a registered party upon their request (section 62 of the Electoral Act).
- The Commissioner shall on request, and on payment of the determined fee, supply a roll extract in electronic form, or on a microfiche, to a person who the Commissioner is satisfied requires the extract for an approved purpose (section 62 of the Electoral Act).
- The Commissioner shall provide roll information to prescribed authorities if they satisfy the requirements for a prescribed purpose (section 65 of the Electoral Act).
- For the purpose of the *Juries Act 1967*, the Commissioner shall, on request by the Sheriff of the Territory, give the Sheriff a copy of the roll of electors of the Territory (section 65 of the Electoral Act).
- The Commissioner shall, so far as practicable, keep the rolls up to date (section 66 of the Electoral Act).
- The Commissioner may alter a roll at any time in accordance with the Electoral Act (section 66 of the Electoral Act).
- The Commissioner has the power to require information in connection with the maintenance of the electoral roll (section 67 of the Electoral Act).
- The Commissioner, an officer or a member of the staff of the Electoral Commission shall not disclose roll information without a reasonable excuse (section 69 of the Electoral Act).
- The Commissioner shall annotate the roll for an electorate so as to indicate the name of each person who is an eligible overseas elector in relation to an electorate (section 74 of the Electoral Act).
- The Commissioner shall cancel an annotation in respect of a person if a person ceases to be an eligible overseas elector for purposes of the Commonwealth Electoral Act; or the person notifies the Commissioner that he or she does not intend to reside, or to resume residing, in the Territory after ceasing to be an eligible overseas elector for the purposes of the Commonwealth Electoral Act (section 74 of the Electoral Act).
- The Commissioner shall enrol a person on the roll for an electorate if the person meets the criteria for enrolment set out in the Electoral Act (section 75 of the Electoral Act).
- On receiving a claim for enrolment, the Commissioner shall enrol the claimant or reject the claim and advise the claimant of the decision (section 76 of the Electoral Act).
- The Commissioner shall suppress the particulars of an elector's address from any extract from the roll on which the elector is enrolled if the elector's address is suppressed on the Commonwealth roll (section 77 of the Electoral Act).
- Where an elector is not enrolled on the Commonwealth roll, on the elector's request for suppression of particulars of his or her address from any extract from any roll, the Commissioner shall grant the request, or refuse the request and advise the elector of the decision. The Commissioner shall grant a request if satisfied on reasonable grounds that the

inclusion of the particulars of the elector's address on an extract from the roll would place at risk the personal safety of the elector or any member of the elector's family (section 77 of the Electoral Act).

- The Commissioner shall include the particulars of an elector's suppressed address on an extract from the roll if the Commissioner is satisfied on reasonable grounds that the inclusion of the particulars would not place at risk the personal safety of the elector or any member of the elector's family (section 78 of the Electoral Act).
- After making a decision to include the particulars of an elector's suppressed address on an extract from the roll, the Commissioner shall give the elector a review statement about the decision (section 78 of the Electoral Act).
- The Commissioner shall suppress the particulars of an elector's suppressed address from any extract from a roll pending a review of the Commissioner's decision (section 79 of the Electoral Act).
- The Commissioner has the power to reject an objection to the enrolment of a person by another person (section 81 of the Electoral Act).
- After the Commissioner rejects an objection he or she shall give the objector written notice of the rejection; and give the objector a review statement about the decision to reject the objection (section 81 of the Electoral Act).
- The Commissioner shall give a person, against whom an objection to enrolment has been lodged, written notice of the objection inviting the person to respond within 21 days after the date of the notice (section 81 of the Electoral Act).

- After considering any such response, the Commissioner shall determine the person's entitlement to enrolment and confirm the enrolment; or remove the person's name from the roll and advise the person and the objector (section 81 of the Electoral Act).

- Where a person's name is removed from a roll as a result of an objection, the Commissioner shall return the deposit lodged with the objection to the objector (section 81 of the Electoral Act).

Categories of documents

- Electoral roll extracts for the Australian Capital Territory

Registration of political parties

- The Commissioner is required to keep a register of political parties, which is to be made available to the public for inspection free of charge, at the office of the Commissioner during office hours (section 88 of the Electoral Act).
- The Commissioner shall publish a notice in the Gazette and a daily ACT newspaper with details of the application for the registration of a political party (section 91 of the Electoral Act).
- The Commissioner may register an eligible political party and give any objector a review statement outlining the decision to register the political party (section 92 of the Electoral Act).
- The Commissioner has the right to refuse an application for the registration of a political party (section 93 of the Electoral Act).
- The Commissioner can suggest in written form that an application be varied in order to avoid refusal of that application (section 94 of the Electoral Act).
- The registration of a political party can be cancelled by the Commissioner (section 98 of the Electoral Act).

Categories of documents

- Register of Political Parties
- Applications for registration as a political party, including party constitutions
- Objections to applications for registration as a political party

Arrangements for elections

- As soon as practicable after the hour of nomination, the Commissioner shall, at the place of nomination, publicly produce all nomination forms, declare each person duly nominated to be a candidate and arrange for a notice containing particulars relating to each candidate to be displayed (section 109 of the Electoral Act).
- The Commissioner has the power to reject a nomination if it fails to meet the requirements of the Electoral Act. The nominee is to be notified in writing of the reasons for rejection (section 110 of the Electoral Act).
- The Commissioner shall declare the candidate or candidates elected if their number is less than or equal to the number required to be elected that have nominated. A poll is held if there is a greater number of candidates nominated for election than is required (section 111 of the Electoral Act).
- The Commissioner shall declare the remaining candidates elected if the death of a candidate before polling day results in the number of candidates being less than, or equal to, the number required to be elected (section 112 of the Electoral Act).
- The Commissioner shall return a candidate's nomination deposit if he or she is elected, he or she receives votes equal to or in excess of 20% of the quota for the election, or a nominee dies before the candidates are declared for the election, or a candidate dies before polling day (section 113 of the Electoral Act).

- The Commissioner may determine the colour of the paper on which ballot papers for each electorate are to be printed (section 114 of the Electoral Act).
- The Commissioner shall conduct the draw for positions on the ballot paper as soon as possible after the declaration of the candidates (section 118 of the Electoral Act).
- The Commissioner shall by notice in the Gazette and in a daily ACT newspaper appoint specific polling places and scrutiny centres to be used for the election (section 119 of the Electoral Act).
- The Commissioner shall make appropriate administrative arrangements for the conduct of each election (section 120 of the Electoral Act).
- The Commissioner shall prepare and distribute certified lists of electors (section 121 of the Electoral Act).

Categories of documents

- Election Statistics Book
- Candidates Information Book
- Scrutineers Information Book

Voting

- An officer shall issue a ballot paper to a claimant for the relevant electorate if satisfied that the certified list of electors for the electorate specifies the claimant's name, and has not been marked so as to indicate that a ballot paper has already been issued to the claimant (section 133 of the Electoral Act).
- An officer shall not issue a ballot paper to a person who indicates that he or she has already voted at the election (section 133 of the Electoral Act).

- Immediately after issuing a ballot paper to a claimant, the officer shall record the issue on the certified list of electors (section 133 of the Electoral Act).
- Where a person attends before an officer at a polling place on polling day and claims to vote at an election, the officer shall issue declaration voting papers to the person for the relevant electorate if satisfied that the requirements of the Electoral Act are met (section 135 of the Electoral Act).
- An officer shall not issue declaration voting papers to a person who indicates that he or she has already voted at the election (section 135 of the Electoral Act).
- The officer shall give the claimant a statement in writing in the approved form indicating the consequences of casting a declaration vote under this section, and record the name of the claimant (section 135 of the Electoral Act).
- The officer shall complete and sign the declaration certificate as witness (section 135 of the Electoral Act).
- The officer shall, in the presence of the person, without unfolding a declaration ballot paper, place it in the envelope on which the declaration appears, fasten the envelope and place it in a ballot box at the polling place (section 135 of the Electoral Act).
- An authorised officer shall, on application by an eligible elector, post to the elector postal voting papers for the electorate in which the person claims to be enrolled (section 136A of the Electoral Act).
- An authorised officer shall, on application by an eligible elector, give to the elector “pre-poll” voting papers for the electorate in which the person claims to be enrolled (sections 136B and 136C of the Electoral Act).
- An officer who issues postal or “pre-poll” voting papers shall make a record of the time and date of issue; and if the officer is not the Commissioner, give the record to the Commissioner (section 137 of the Electoral Act).
- The record of the issue of postal and “pre-poll” voting papers (not including the addresses of silent electors), shall be made available for public inspection for a period of 40 days beginning on the third day after polling day at the office of the Commissioner during office hours (section 138 of the Electoral Act).
- An officer who receives completed postal voting papers shall endorse the time and date of receipt on the envelope, and if the officer is not the Commissioner, give the papers to the Commissioner or an authorised officer (section 139 of the Electoral Act).
- The Commissioner shall keep the papers in safe custody for the purposes of scrutiny (section 139 of the Electoral Act).
- The Commissioner shall keep a register, called the Register of Declaration Voters (section 140 of the Electoral Act).
- Postal voting papers are to be sent by the Commissioner to registered declaration voters at the beginning of the election period (section 141 of the Electoral Act).
- If an officer is satisfied that an application for declaration voting papers for postal voting, or the declaration or certificate in completed declaration voting papers, contains a formal error, the officer may amend the application, declaration or certificate, so as to amend the error (section 142 of the Electoral Act).
- Mobile polling is to be arranged for patients at special hospitals and remand centres in order to take their votes (section 150 of the Electoral Act).

- When visiting, the visiting officer shall take everything necessary to enable a person to vote, and shall be accompanied by at least one other officer and any scrutineer who wishes to attend (section 151 of the Electoral Act).
 - After a visiting officer has completed all his or her visits the officer shall, in the presence of any scrutineers, close and seal the ballot boxes containing ballot papers for ordinary voting or declaration voting; parcel and enclose in sealed wrapping all unused ballot papers; and parcel and enclose in sealed wrapping paper all other electoral papers used for the purposes of the visits, and give the articles to the Commissioner, who shall keep these articles in safe custody for purposes of the scrutiny (section 153 of the Electoral Act).
 - Before any vote is taken the Officer in Charge of a polling place shall exhibit each empty ballot box, and shall then securely fasten its cover (section 154 of the Electoral Act).
 - An officer shall not issue a ballot paper for the purposes of an election unless the particulars required by the Electoral Act are printed or endorsed on the ballot paper (section 155 of the Electoral Act).
 - An officer shall issue another unused ballot paper to an elector who satisfies the officer that a ballot paper previously issued to the elector has been inadvertently spoiled, if the elector gives the spoiled ballot paper to the officer (section 157 of the Electoral Act).
 - An officer who receives a spoiled ballot paper shall write “spoilt” on the back of it; place it in an envelope, seal the envelope and endorse it so as to indicate the type of spoiled ballot paper enclosed; and sign the endorsement (section 157 of the Electoral Act).
 - At the close of polling, the Officer in Charge shall enclose the envelope in a sealed parcel and give it to the Commissioner (section 157 of the Electoral Act).
 - At the close of polling, the Officer in Charge of a polling place shall, in the presence of any scrutineers, close and seal the ballot boxes containing ballot papers for ordinary voting or declaration voting; parcel and enclose in sealed wrapping all unused ballot papers; and parcel and enclose in sealed wrapping all other electoral papers used at the polling place (section 158 of the Electoral Act).
 - The Commissioner shall keep all relevant electoral papers in safe custody for the purposes of scrutiny (section 158 of the Electoral Act).
 - The Commissioner may suspend polling at a polling place if it is not practicable to continue with it; the Commissioner may arrange for suspended polling to be resumed at a later time, but no later than 21 days after the suspension, where the Commissioner believes that it is not reasonably practicable for an elector affected by the suspension to vote at another polling place (section 160 of the Electoral Act).
 - An elector who fails to vote is sent a default notice by the Commissioner. If the elector fails to respond to the first notice the elector is sent a second and then a final notice (sections 161, 162, 163 and 164 of the Electoral Act).
 - Arrangements for the polling in Antarctica shall be made by the Commissioner after the close of nominations for an election for an electorate for which an elector is enrolled (section 172 of the Electoral Act).
- Categories of documents**
- Register of declaration voters
 - Declaration voting papers

- The record of the issue of declaration voting papers

The scrutiny

- The Commissioner shall arrange for all articles and documents specified by the Electoral Act to be dealt with at scrutiny centres (section 178 of the Electoral Act).
- The OIC for a scrutiny centre may adjourn the scrutiny at the centre from time to time (section 178 of the Electoral Act).
- The Commissioner shall arrange for the conduct of such preliminary scrutinies as are necessary in relation to a poll (section 179 of the Electoral Act).
- The Commissioner shall display a notice in a prominent place at the office of the Commissioner specifying the date, time and place at which a preliminary scrutiny is to commence. The notice shall be so displayed no later than 4 pm on the day before the commencement of the preliminary scrutiny (section 179 of the Electoral Act).
- An Officer in Charge of a scrutiny centre has the power to determine whether a ballot paper is formal (section 180 of the Electoral Act).
- The Electoral Commissioner may determine the formality of a ballot paper and, for that purpose, may reverse any decision made by another officer (section 180 of the Electoral Act).
- The Officer in Charge of a scrutiny centre shall arrange for the first count of ordinary ballot papers to be carried out as soon as practicable after the close of the poll for an election (section 182 of the Electoral Act).
- The Officer in Charge of a scrutiny centre shall arrange for the first count of declaration vote ballot papers which have been admitted to a scrutiny (section 183 of the Electoral Act).
- The Commissioner shall arrange for an officer at a scrutiny centre to open parcels of ordinary and declaration ballot papers and, so far as practicable, conduct a second scrutiny of the ballot papers (section 184 of the Electoral Act).
- The officer conducting the second scrutiny may reverse a decision made at the first scrutiny (section 184 of the Electoral Act).
- The Commissioner shall arrange for the further scrutiny of the ballot papers in the second scrutiny and the ascertainment of the successful candidates, and where it is necessary to do so: determine the numbers of ballot papers, calculate a quota or transfer value, or identify a candidate (section 185 of the Electoral Act).
- The officer conducting the scrutiny shall, if a scrutineer objects to a ballot paper as being informal, mark the ballot paper “admitted” or “rejected” according to the officer’s decision to admit or reject the ballot paper (section 186 of the Electoral Act).
- The Commissioner may, if the Commissioner thinks fit, and shall, if directed by the Electoral Commission, direct an officer to recount some or all of the ballot papers for an election at any time before the declaration of the result of the election (section 187 of the Electoral Act).
- The officer conducting a recount may reverse a decision made earlier in the scrutiny (section 187 of the Electoral Act).
- The Commissioner shall notify each candidate in writing, of the date, time and place fixed for a recount before a recount is conducted (section 187 of the Electoral Act).

- The officer conducting a recount may, if the officer thinks fit; and shall, at the request of any scrutineer, reserve any ballot paper for the decision of the Commissioner (section 188 of the Electoral Act).
- The Commissioner shall decide whether any ballot paper so reserved is to be admitted or rejected (section 188 of the Electoral Act).
- The Commissioner shall declare each successful candidate elected, declare the result of the elections, and notify the Clerk of the Assembly of the names of the candidates elected (section 189 of the Electoral Act).
- Where a casual vacancy occurs in the Legislative Assembly, the Commissioner shall publish a notice in a newspaper containing a statement to that effect and stating that a person may apply to be a candidate in accordance with the Electoral Act, and specifying when applications close (section 191 of the Electoral Act).
- The Commissioner shall, so far as practicable, give a copy of a notice of a casual vacancy to any person who, in the opinion of the Commissioner, may be entitled to make an application in respect of the vacancy (section 191 of the Electoral Act).
- The Commissioner shall inform the Speaker accordingly if not satisfied that it is practicable to fill a casual vacancy in the above way (section 191 of the Electoral Act).
- The Commissioner shall reject an application for a casual vacancy for the Legislative Assembly if it is not made in accordance with the Electoral Act and give the person in respect of whom it was made written notice setting out the reasons for the rejection (section 193 of the Electoral Act).
- The Commissioner shall, as soon as practicable after the close of applications for a casual vacancy for the Legislative Assembly, publicly produce all the applications and declare each person who has duly applied to be a candidate; and arrange for a notice containing particulars relating to each candidate (other than particulars of any suppressed address) to be displayed at the office of the Commissioner (section 193 of the Electoral Act).
- Where there are no candidates in relation to a casual vacancy, the Commissioner shall declare that there are no candidates and inform the Speaker accordingly (section 193 of the Electoral Act).
- If there is only one candidate in relation to a casual vacancy, the Commissioner shall declare the candidate elected (section 194 of the Electoral Act).
- If there is more than one candidate in relation to a casual vacancy, the Commissioner shall conduct a recount of ballot papers having given each candidate written notice of the time and place for the recount, and declare elected the successful candidate (section 194 of the Electoral Act).
- The Commissioner shall declare a person elected to a casual vacancy for the Legislative Assembly where the Speaker of the Legislative Assembly notifies the Commissioner that the Assembly has chosen a person to hold the vacant office as an MLA for the rest of the term of the former MLA (section 195 of the Electoral Act).
- The Commissioner shall not take any action, or further action, in relation to a casual vacancy after the Assembly is dissolved or a pre-election period commences in relation to the electorate in which the casual vacancy has occurred (section 197 of the Electoral Act).

Categories of documents

- Scrutiny sheets
- Scrutineers Information Handbook
- Declaration of the Poll notice
- Polling Place Procedures Handbook
- Polling Place staff Handbooks and workbooks

Election funding and financial disclosure

- The Commissioner is to keep a register of reporting agents for parties, non-party groups and candidates (section 205 of the Electoral Act).
- The Commissioner shall make payments for election funding (section 212 of the Electoral Act).
- The Commissioner shall conduct investigations to ascertain compliance with this Part, and before doing so may give an investigation notice to a reporting agent or prescribed person (section 237 of the Electoral Act).
- The Commissioner shall apply to a Magistrate for an investigation search warrant to seize any documents with evidence relating to a contravention of section 236 (section 238 of the Electoral Act).
- The Commissioner shall keep, at the office of the Commissioner, a copy of all Funding and Disclosure returns made under the Electoral Act (section 243 of the Electoral Act).
- The Commission may determine a fee for purchase of a copy of a return (section 243 of the Electoral Act).

Categories of documents

- Election and Referendum Funding and Financial Disclosure handbooks

Volume 1: for registered political parties and their agents

Volume 2: for candidates endorsed by registered political parties and their reporting agents

Volume 3: for non-party candidates and groups and their agents

Volume 4: for broadcasters and publishers

Volume 5: for persons (other than political parties, candidates, broadcasters or publishers) taking part in an ACT Legislative Assembly election

Volume 6: for persons who receive donations or incur expenditure in relation to a referendum in the ACT

Volume 7: for associated entities

- Financial disclosure returns of political parties, candidates and third parties
- Register of Party and Independent Reporting Agents
- Register of Non-party Group and Candidate Reporting Agents

Disputed elections, eligibility and vacancies

- The validity of an election may only be disputed after the result of an election is declared by application to the Court of Disputed Elections for which the Supreme Court has jurisdiction to hear (section 252 and 256 of the Electoral Act).
- Persons entitled to dispute an election are the Commissioner, a candidate in the election or an elector entitled to vote in the election (section 257 of the Electoral Act).
- Anyone wishing to make an application disputing the election must do so within 40 days after the election is declared (section 259 of the Electoral Act).

Enforcement proceedings

- The Commissioner may, by notice in the *Gazette*, specify the boundaries of a polling place for the purpose of defining the area within which canvassing for votes is prohibited (section 303 of the Electoral Act).
- An officer may, if directed by the Commissioner, remove or obliterate a notice which the Commissioner or the officer believes on reasonable grounds to be in contravention of the ban on canvassing for votes within 100 metres of a polling place prohibited (section 303 of the Electoral Act).
- The Commission may apply to the Supreme Court for an injunction restraining a person's conduct if that conduct is in contravention of the Electoral Act or any other law of the Territory that applies to elections (section 321 of the Electoral Act).
- The Commissioner may apply to the Supreme Court for an injunction requiring a person to do a particular act or thing that they have refused to do and in doing so they have contravened this Act or any other law of the Territory that applies to elections (section 322 of the Electoral Act).
- The Commissioner shall investigate or refer to the appropriate authority for investigation any complaint of an alleged contravention of this Act unless the Commissioner believes the complaint to be frivolous or vexatious (section 325 of the Electoral Act).
- The Commissioner may prosecute non-enrolment and non-voting offences (section 326 of the Electoral Act).

Miscellaneous

- The Commissioner shall arrange for the publication of voting statistics, as soon as possible after an election (section 333 of the Electoral Act).

- The Commissioner shall ensure that electoral papers are securely stored until they are no longer required and then they are to be destroyed (section 335 of the Electoral Act).

Referendum (Machinery Provisions) Act 1994

The *Referendum (Machinery Provisions) Act 1994* applies the machinery provisions of the Electoral Act to the conduct of referendums. The Electoral Commission and the Electoral Commissioner are therefore invested with the same specified powers and functions under this Act as under the Electoral Act in so far as those powers relate to the machinery conduct of referendums. The Commissioner is also invested with the following additional powers that relate specifically to referendums under this Act. All of these powers are exercised subject to another referendum law providing otherwise.

Powers of the Electoral Commissioner

- The Commissioner shall cause the for and against cases for a referendum question to be printed in a similar typeface and typestyle and posted to each elector or each household in the Territory (section 8 of the Referendum (Machinery Provisions) Act).
- The Commissioner may determine the colour of the paper on which referendum ballot papers are to be printed (section 11 of the Referendum (Machinery Provisions) Act).
- The Commissioner shall arrange for all unrejected ballot papers to be counted to ascertain:
 - the number of votes in favour of each referendum option;
 - the number of votes opposed to each referendum option; and
 - the total number of informal ballot papers; and

as soon as practicable after the count is concluded, the Commissioner shall by notice in the *Gazette* set out the numbers so counted and declare the result of the referendum (section 14 of the Referendum (Machinery Provisions) Act).

Categories of documents

- For and against arguments for referendum questions.

Health Professions Boards (Elections) Act 1980

The *Health Professions Boards (Elections) Act 1980* provides for elections for various Health Professions Boards in the ACT. The elections are conducted by a Returning Officer appointed by the Electoral Commissioner.

Functions and powers of the Electoral Commissioner and the Returning Officer

- The Electoral Commissioner shall appoint a person to be the Returning Officer for the purposes of an election (section 4 of the Health Professions Boards (Elections) Act).
- Where an election is to be held, the Returning Officer shall make the list of registered practitioners eligible to vote at the election available for public inspection (section 6 of the Health Professions Boards (Elections) Act).
- On receipt of a list of registered practitioners eligible to vote at an election, the Returning Officer shall post a notice to each person on the list informing that person of the dates fixed for the election, or cause a notice specifying the dates to be published in a newspaper (section 7 of the Health Professions Boards (Elections) Act).
- A Returning Officer may receive nominations of candidates for an election (section 8 of the Health Professions Boards (Elections) Act).

- Where a Returning Officer finds a nomination of a candidate to be defective, the Returning Officer shall, before rejecting the nomination, return it to the candidate and give the candidate the opportunity to correct the defect (section 11 of the Health Professions Boards (Elections) Act).
- After the close of nominations for an election, the Returning Officer shall declare the name and address of each candidate by notice in the *Gazette* (section 8 of the Health Professions Boards (Elections) Act).
- After the close of nominations for an election, if the number of candidates nominated for the election does not exceed the number of candidates to be elected, the Returning Officer shall declare the candidates to be elected by notice in the *Gazette*; if the number of candidates nominated for the election exceeds the number of candidates to be elected, the Returning Officer shall proceed to take a poll to decide the election (section 12 of the Health Professions Boards (Elections) Act).
- Where a poll is to be taken to decide an election, the Returning Officer shall send each registered practitioner voting papers (sections 15-17 of the Health Professions Boards (Elections) Act).
- Where a poll is to be taken to decide an election, the Returning Officer shall keep voting papers received for the election locked and sealed in a ballot box (section 19 of the Health Professions Boards (Elections) Act).
- A Returning Officer shall not admit to the scrutiny for an election any voting papers received after the close of the poll box (section 19 of the Health Professions Boards (Elections) Act).
- After the close of the poll for an election, the Returning Officer shall conduct a scrutiny of voting papers to determine the result of the election (sections 21-24 of the Health Professions Boards (Elections) Act).

- After the completion of the scrutiny in respect of an election, the Returning Officer shall declare the successful candidate or candidates elected by notice in the Gazette (section 25 of the Health Professions Boards (Elections) Act).
- A Returning Officer may, either on the request of a candidate or on his or her own motion, recount voting papers for an election (section 26 of the Health Professions Boards (Elections) Act).
- On receipt of a notice in writing from a candidate in the election requesting a recount of voting papers the Electoral Commissioner may, as he or she thinks fit, either direct the Returning Officer to conduct a recount of the voting papers or refuse to direct a recount (section 26 of the Health Professions Boards (Elections) Act).
- On refusal of a request made under section 26 a candidate may apply to the Administrative Appeals Tribunal for a review of the decision of the Electoral Commissioner (section 26 of the Health Professions Boards (Elections) Act).
- During a recount of voting papers, the Electoral Commissioner shall decide whether a voting paper reserved for his or her decision shall be admitted or rejected (section 27 of the Health Professions Boards (Elections) Act).
- Six months after the publication of the result of an election, the Returning Officer shall authorise the destruction of documents used in the election (section 28 of the Health Professions Boards (Elections) Act).

Categories of documents

- Lists of Registered Practitioners made available for public inspection for the purposes of Health Professions Boards elections.

Inquiries concerning access to documents or other matters relating to the Freedom of Information Act should be directed to:

The ACT Electoral Commission
Plaza Level
Allara House
50 Allara Street
Canberra City ACT 2601

Telephone (02) 62050224

or by writing to PO Box 272, Civic Square
ACT 2608.

Number of requests received or processed under Freedom of Information Act

The Commission did not receive or process any requests for access to information under the Freedom of Information Act in 1997/98.

Appendices

Market Research Results

The following tables set out key results of market research conducted on behalf of the ACT Electoral Commission by Market Attitude Research Services.

Three surveys were undertaken. Two random telephone surveys of 500 respondents each were undertaken before polling day. The first survey was taken in

mid January 1998 and the second in the week preceding 16 February 1998.

An exit poll was taken at polling places on polling day. Around 500 respondents were surveyed as they left the polling places.

Q: Can you tell me the name of your electorate?

	Mid-January 1998	Mid-February 1998	Polling Day 21 February 1998
	N=500	N=500	N=511
	%	%	%
Brindabella	7	17	27
Ginninderra	7	17	26
Molonglo	10	22	40
Canberra	5	1	-
Fraser	12	6	1
Namadgi	10	2	-
Other	1	3	-
Don't know	49	31	6

Appendix 1 — Voter knowledge of names of electorates.

Q: Can you tell me how many members your electorate will have?

	Mid-January 1998	Mid-February 1998	Polling Day 21 February 1998
	N=500	N=500	N=511
	%	%	%
One	8	4	2
Five	7	14	39
Seven	5	10	28
Seventeen	-	-	-
Other	10	8	3
Don't know	70	64	28

Appendix 2 — Voter knowledge of numbers of members of electorates.

Q: In the past, political parties have been able to hand out “how-to-vote cards” near an ACT election polling place. Is this usually useful or not for you?

	Mid-January 1998	Mid-February 1998	Polling Day 21 February 1998
	N=500	N=500	N=511
	%	%	%
Useful	49	44	37
Not useful	47	51	59
Unsure	4	5	4

Appendix 3 — Voter opinion of usefulness of how-to-vote cards.

Q: Are you aware or unaware that “how-to-vote cards” will no longer be able to be given out within 100 metres of an ACT election polling place?

	Mid-January 1998	Mid-February 1998	Polling Day 21 February 1998
	N=500	N=500	N=511
	%	%	%
Aware	44	48	81
Unaware	56	52	17
Unsure	-	-	1

Appendix 4 — Voter knowledge of 100 metre ban on how-to-vote cards.

Q: Did you find it a problem that “how-to-vote cards” were not available today?

	Polling Day 21 February 1998
	N=511
	%
Yes	15
No	84
Unsure	1

Appendix 5 — Voter opinion on absence of how-to-vote cards.

Q: Have you heard of and do you know anything about the Robson rotation method of printing ballot papers?

	Mid-January 1998		Mid-February 1998		Polling Day 21 February 1998	
	N=500		N=500		N=511	
	%	%	%	%	%	%
Never heard of Robson rotation	67		64		46	
Have heard of Robson rotation but don't know anything about it	14		12		13	
Know some things about Robson rotation	11	33	13	36	23	54
Know all about Robson rotation	8		11		18	

Appendix 6 — Voter knowledge of Robson rotation.

Q: How adequate were the instructions you were given by the ACT Electoral Commission on how to vote for ACT Legislative Assembly members?

	Polling Day 21 February 1998 N=511
	%
Very adequate	36
Adequate	51
Neither adequate nor difficult	8
Inadequate	3
Very inadequate	1

Appendix 7 — Voter opinion of adequacy of voting instructions.

Q: Having just voted, which of these comments best describes the service provided by the people running this polling place?

Helpfulness	Polling Day 21 February 1998 N=511	Efficiency	Polling Day 21 February 1998 N=511	Friendliness	Polling Day 21 February 1998 N=511
	%		%		%
Very helpful	51	Very efficient	55	Very friendly	53
Helpful	43	Efficient	38	Friendly	42
Neither helpful nor unhelpful	6	Neither efficient nor inefficient	6	Neither friendly nor rude	5
Unhelpful	-	Inefficient	1	Rude	-
Very unhelpful	-	Very inefficient	-	Very rude	-

Appendix 8 — Voter opinion of polling place service.

Q: Which of these statements best describe how you found the queuing here today?

	Polling Day 21 February 1998 N=511
	%
Unacceptably long	-
Long but acceptable	2
Not very long and acceptable	9
Not a real problem	88

Appendix 9 — Voter opinion of queuing at polling places.

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