

ACT Electoral Commission
ANNUAL REPORT
2012/13



Elections ACT



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Dear Attorney General

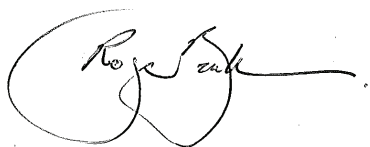
This report has been prepared under section 6(1) of the *Annual Reports (Government Agencies) Act 2004* and in accordance with the requirements referred to in the Chief Minister's Annual Report Directions. It has been prepared in conformity with other legislation applicable to the preparation of this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

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

We hereby certify that the attached Annual Report is an honest and accurate account and that material information on the operations of the ACT Electoral Commission during the period 1 July 2012 to 30 June 2013 has been included and that it complies with the Chief Minister's Annual Report Directions.

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

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



Roger Beale AO
Chairperson

10 September 2013



Phillip Green
Electoral Commissioner

10 September 2013



Dawn Casey
Member

10 September 2013

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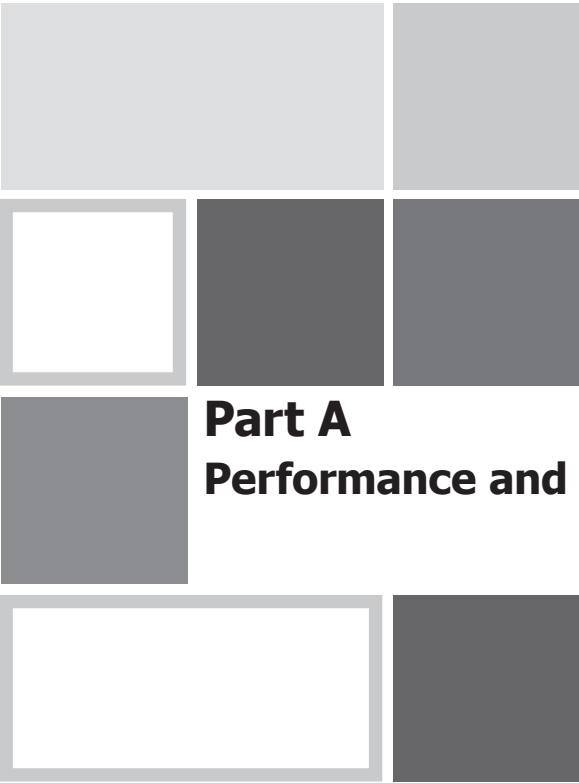
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Glossary

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



Part A

Performance and financial management reporting

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The organisation

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

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

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

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

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

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

The Commissioner and the Justice and Community Safety Directorate have entered into a Memorandum of Understanding (MOU) that defines areas of responsibility and assistance between the two agencies. In particular, the Memorandum of Understanding clearly delineates the statutory independence of the Commission and the Commissioner in the conduct of their respective roles under the legislative framework, described in the next section. This MOU was updated and resigned on 27 May 2013.

Legislative framework

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

- ◇ *Electoral Act 1992*;
- ◇ *Electoral Regulation 1993*;
- ◇ *Referendum (Machinery Provisions) Act 1994*;
- ◇ *Proportional Representation (Hare-Clark) Entrenchment Act 1994*;
- ◇ *Aboriginal and Torres Strait Islander Elected Body Act 2008*; and
- ◇ *Health Professionals Regulation 2004* [for the Veterinary Surgeons Board only].

Organisational structure

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

Table 1 - Members of the ACT Electoral Commission

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

Note: This table shows appointments in force on 30 June 2013.

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

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

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

The Commissioner was assisted throughout 2012/2013 by 5 permanent officers employed under the Public Sector Management Act, together with a number of other staff employed under the Public Sector Management Act and the Electoral Act, and officers seconded from other organisations, on a temporary or casual basis to undertake tasks associated with the 2012 ACT Legislative Assembly election, or to assist the Commissioner as necessary.

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

Elections ACT's Corporate Plan

Elections ACT's mission is:

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

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

Elections ACT's most important function is to conduct elections for the Legislative Assembly. An election for the Assembly was held on 20 October 2012. The next election will be held on 15 October 2016.

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

With the expiry of the 2009-2013 corporate plan at the end of the reporting year, Election ACT reviewed the plan and developed a new plan for the 2013-2017 period.

The revised corporate plan introduces a new vision statement as well as a statement of values and guiding principles. The new vision articulates Elections ACT's longstanding commitment to *continuous improvement through innovation and leadership*.

The new values statement formally adopts the ACTPS values and behaviours of respect, integrity, collaboration and innovation.

The new guiding principles recognise the special nature of Elections ACT's role as an independent electoral authority, adopting the guiding principles of *transparency, accessibility, impartiality and independence*.

The revised plan also brings into greater focus 3 of the Commission's major functions, previously reported under "other electoral statutory requirements". These responsibilities are electoral boundaries, party registration, and election funding, expenditure and financial disclosure.

The revised plan is set out in the following table. This 2012-2013 annual report adopts the new revised plan for reporting purposes.

Elections ACT Corporate Plan 2013-2017

MISSION	
To provide the ACT community with high quality electoral services that ensure fair and open elections and referendums.	
VISION	
Continuous improvement through innovation and leadership.	
VALUES	
The ACTPS values and behaviours of respect, integrity, collaboration and innovation	
GUIDING PRINCIPLES	
Transparency, accessibility, impartiality and independence.	
Goal 1	To conduct high quality elections and referendums
Key result areas:	1.1 Elections for the ACT Legislative Assembly
	1.2 Election and referendum services to other agencies
Goal 2	To provide high quality electoral information, education, advice and services
Key result areas:	2.1 Electoral information and advice
	2.2 Electoral enrolment
	2.3 Electoral education
	2.4 Electoral boundaries
	2.5 Party registration
	2.6 Election funding, expenditure and financial disclosure
Goal 3	To support high quality electoral services by effective management
Key result areas:	3.1 Human resources management
	3.2 Financial management
	3.3 Records management
	3.4 Information/communication technology management

The *Corporate Plan 2013–2017* is underpinned by more detailed operational plans.

Performance indicators

Formal budget paper performance indicators

There are 3 performance indicators listed in the budget papers for Output 1.6 – Electoral Services within the JACS directorate. Two of these relate to Legislative Assembly elections, and measure voter turnout at Assembly elections and timely finalisation of Assembly election results. As 2012/2013 was a Legislative Assembly election year, there is formal reporting against these indicators in the 2012/2013 Budget Papers for Output 1.6 – Electoral Services. A third performance indicator reflects the Commission's ongoing activity, and formally reports on the participation of eligible electors on the electoral roll.

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

The Commission was deeply disappointed that it did not meet either of its turnout targets. This underlines a concern felt by all Australian electoral authorities particularly about participation and enrolment by younger voters. This is discussed further below.

The percentage of electors on the roll compared to the number eligible is reported in detail under **Key Result Area 2.2 Electoral Enrolment** from page 31.

Table 2 - Performance indicators included in budget papers

Accountability indicator	Measures	Target for 2011/2012	Outcome at 30 June 2012
High level of voter turnout at ACT Legislative Assembly elections ¹	Turnout as a percentage of enrolment	>92% of enrolment	Turnout was 89% of enrolment
	Turnout as a percentage of eligible elector population	>88% of eligible elector population	Turnout was 84% of eligible elector population
Timely finalisation of election result of Legislative Assembly election ¹	Date of announcement of election result	<14 days from polling day	The result was finalised 7 days after polling day
High level of electoral enrolment	Participation rate	>95% of eligible population	Enrolment was 95.9% of eligible population ²

Note 1: - These measures only apply in a Legislative Assembly election year.

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

The turnout is measured in two ways: as a percentage of enrolment and as a percentage of the eligible elector population (EEP). The second of these measures might be considered a better measure for comparison from election to election, as it is not subject to the level of completeness of the electoral roll at any given time.

Both measures show that the turnout was less than the performance target, and reflect a decline in participation over recent elections. Turnout measured as a percentage of enrolment was 92.8% and 90.4% in 2004 and 2008, respectively, and was 86.7% and 87.7% of EEP in 2004 and 2008, respectively. This decline in elector participation also reflects a growing trend across all Australian jurisdictions.

The announcement of the final election result 7 days after polling day was an outstanding achievement, breaking the record set in 2008 by a few hours. The result was achieved through the combination of scanning of ballot papers with an increase in electronic voting and the eVACS® counting system. Finalising the result on the Saturday after polling day is, in practical terms, the earliest time that a result could be achieved, as postal votes can be returned up until the preceding day.

The outcome of 95.9% of the eligible population on the electoral roll at 30 June 2013 is above the target of 95%. On 30 June 2012, the outcome was 92.5% of the eligible population. The increase in the percentage reflects the trend for the level of enrolment to decline in the years between elections, and rise in election years, particularly when there is a federal election. Close of rolls for the 2013 federal election is expected to be early in the 2013/2014 year, and strategies for increasing the level of enrolment for that election were beginning to be implemented by the AEC at 30 June 2013. The Commission's information campaign for the 2012 ACT Legislative Assembly election would also have had an impact on the level of enrolment during the reporting year. See further discussion about electoral enrolment at **Completeness and accuracy of the ACT electoral roll** from page 31.

In-house performance indicators

The Commission considers that it is worthwhile to maintain an extended set of performance indicators for in-house use and for annual reporting purposes. Set out below are the Commission's in-house performance indicators. Discussion of the Commission's performance against each of these measures is included in the **Analysis of agency performance** from pages 17 to 55.

Goal 1 – Elections and referendums		
Objectives	Measures	Outcomes
Increase voter turnout at Legislative Assembly elections	Participation rates	Turnout 2012 election: 89.3% Turnout 2008 election: 90.4% Turnout 2004 election: 92.8% Turnout 2001 election: 90.9%
Deliver service within timeline targets	Timelines met ¹	All timelines met.
Increase formal voting at Legislative Assembly elections	Formal voting rates	Formal voting 2012 election: 96.5% Formal voting 2008 election: 96.2% Formal voting 2004 election: 97.4% Formal voting 2001 election: 96.0%
Goal 2 – Information, education, advice and services		
Objectives	Measures	Outcomes
Maintain high client satisfaction	Feedback from clients/electors	All electoral education and fee-for-service election clients expressed satisfaction.
Manage registration of political parties	Statutory requirements met	All statutory requirements met.
Redraw electoral boundaries for each election	Statutory requirements met	A redistribution of electoral boundaries did not occur during the reporting year. The most recent redistribution commenced in January 2011 and concluded in October 2011. All relevant statutory requirements were met.
Goal 3 – Effective management		
Objectives	Measures	Outcomes
Manage costs within budget allocations	Budget met	Expenditure was \$0.091 million under budget allocation for 2012/2013.
Maintain high staff satisfaction	Performance management feedback	High staff satisfaction reported in 2012/2013.
Manage and improve ICT business systems	Absence of ICT business systems failures	No ICT business systems failures.

Note 1: Elections ACT's timeline targets are:

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

Overview

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

The Commission's most important function is to conduct elections for the ACT Legislative Assembly election. An election for the Assembly was held on 20 October 2012. The next Assembly election is due to be held on 15 October 2016.

The conduct of the 2012 election was the major focus of the Commission and Elections ACT in 2012/2013. Final preparations for the election occupied the first few months, and the election itself the remainder of the 2012 calendar year. Post election activity, including reviewing and reporting on the election and enforcement of compulsory voting, continued into 2013.

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

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

The 2012 election was a major success for Elections ACT and its staff. The deployment of electronic voting (following its success at the 2001, 2004 and 2008 elections) in 2012 continued the standard for setting world best practice in the electoral field. Approximately 1 in 4 voters cast their ballot electronically, demonstrating the widespread acceptance of voting in this way.

Elections ACT continued its innovative practices with the implementation of a comprehensive polling place management system, incorporating the 2008 initiative of electronic rolls for voter name mark-off, and by including the transmission of that mark to rolls in all polling places across the ACT via the 3G telecommunications network. The polling place management system also relieved the polling staff of much of the complicated manual balancing tasks at the end of polling, and provided for the electronic transmission of results, again using the 3G network. Scanning technology was again used for capturing and interpreting the preference marks on all paper ballots, a system first used in 2008.

These innovations collectively contributed to the delivery of excellent service to the highest ever number of voters of the ACT, and to delivering the result in record time, 7 days after polling day.

These innovations were recognised by the Director General of the JACS Directorate with a 2013 innovation award.

In recognition of the Commission's achievements with its information campaign for the 2012 ACT election, the Commission was presented with an ACT Multicultural Award in the Media category in November 2012.

A list of key activities undertaken in 2012/2013 is shown at **Highlights** on page 11.

Highlights

The greatest challenge and achievement of the 2012/2013 year was the successful conduct of the 20 October 2012 ACT Legislative Assembly election. Notable aspects of the election included:

- ◇ Taking the highest number of votes in an ACT election – 229,125 (compared to 220,119 in 2008);
- ◇ A reduction in the percentage turnout of enrolled voters, with 89.3% of enrolled voters voting in 2012, down from 90.4% in 2008;
- ◇ A disappointing rise in the proportion of young people failing to exercise their democratic obligations by enrolling and voting, with only 67% of eligible 18 year olds and 56% of 19 year olds enrolled for the 2012 election (compared to 80% and 85% respectively in 2008);
- ◇ Successful expansion of electronic voting facilities to 59,200 voters – over 25% of all voters (compared to 43,525 in 2008);
- ◇ Using networked computers to provide electronic electoral rolls in all polling places, enabling the transmission of marked-off voter names to all rolls across the ACT, an enhancement on the stand-alone electronic roll system introduced in 2008; leading to efficiencies and environmental savings and reducing the likelihood of voting fraud;
- ◇ Continued provision of secret voting facilities for blind and sight-impaired people, using electronic voting, and for the first time introducing the blind and vision impaired preferred telephone style keypad for those voters;
- ◇ Conducting an extensive public information campaign, combining traditional media advertising with public relations activities and the adoption of new Elections ACT social media platforms for the first time in an ACT election;
- ◇ High voter satisfaction with electoral services, with over 95% of voters surveyed expressing satisfaction with their overall voting experience;
- ◇ Using the intelligent character recognition scanning system (first used in Australia for the 2008 ACT election) for capturing and counting preferences marked on paper ballots;
- ◇ Finalising the election result in record time, with the count concluded 7 days after polling day as a result of combining the scanning of paper ballots with electronic voting and the eVACS® counting system, breaking the 2008 record by some hours;
- ◇ Introducing an improved interactive electronic training manual for polling staff, building on the success of the system first used in the ACT in 2008;
- ◇ Improving on the 2008 version of the simplified processes for applying for a postal vote, including on-line and phone applications, contributing to a record number of postal votes counted – 9,859 (compared to 9,599 in 2008);
- ◇ Extending the number of pre-poll voting centres to 6 (from 5 in 2008), contributing to a record number of voters using pre-poll voting: 61,660 (compared to 44,635 in 2008);
- ◇ Use of an improved display of election results on the internet and in the Tally Room on and after election night, which operated without interruption;
- ◇ Payment of a record amount in public funding to parties and candidates: \$409,402, following an increase in the rate of funding to \$2 per vote (compared to \$295,453 in 2008).
- ◇ Enforcing the compulsory voting provisions of the Electoral Act, with a record number of apparent failure to vote notices issued after the election – a total of 19,907;
- ◇ Being awarded an ACT Multicultural Award in the Media category in November 2012 in recognition of the Commission's achievements with its information campaign for the 2012 ACT election; and

- ◇ Being awarded a JACS Director General's award for innovation for innovative use of electronic systems during the 2012 ACT Legislative Assembly election.

In addition to the conduct of the 2012 election, other notable activities undertaken during the year included:

- ◇ Conducting a casual vacancy countback for the electorate of Brindabella following the resignation of Mr Zed Seselja MLA from the Assembly in June 2013, resulting in the election to the Assembly of Ms Nicole Lawder MLA on 26 June 2013;
- ◇ Introducing substantial changes to the funding, expenditure and financial disclosure provisions that included caps on the amount of gifts that could be used for ACT elections, caps on the amount of expenditure that could be incurred on ACT elections, more frequent disclosure of gifts received, payment to political parties with Assembly representatives for administrative purposes, and an increase in the level of public funding of eligible political parties and candidates;
- ◇ Conducting further audits of political parties for compliance with the election financial disclosure scheme, including informal audits of parties to assist them in implementing the provisions of the new scheme;
- ◇ Preparation of a detailed report on the 2012 election (finalised in July 2013 and tabled in the Assembly on 8 August 2013), including recommendations for changes to the Electoral Act;
- ◇ Finalising the processing of applications to register political parties that were received just before the close of the register to new parties on 30 June 2012;
- ◇ Finalising arrangements with the AEC for electoral roll stimulation activities in the lead-up to the 2012 Legislative Assembly election;
- ◇ Continuing the work with the AEC and the Electoral Council of Australia and New Zealand (ECANZ) to improve electoral roll maintenance procedures and election related activities, progressing research on electoral matters, and developing joint electoral research projects;
- ◇ Continuing the Commission's non-parliamentary fee-for-service election program: filling 2 casual vacancies on the Aboriginal and Torres Strait Islander Elected Body; conducting 2 enterprise agreement ballots for ACT government agencies; 2 ballots for the Australian National University; and conducting 3 miscellaneous ballots;
- ◇ Providing pre-poll voting facilities for the Western Australia and Northern Territory general elections and 2 interstate by-elections; and a Queensland local government de-amalgamation poll; and
- ◇ Continuing the schools based electoral education program.

In December 2012 the Electoral Commissioner was appointed by the Chief Minister to chair an Expert Reference Group to inquire into, and provide a report to the Chief Minister regarding, the size of the ACT Legislative Assembly. The reference group provided its report to the Chief Minister on 28 March 2013. The report was made public by the Chief Minister on 16 April 2013.

During the reporting year Elections ACT also reviewed its 2009/2013 Corporate Plan and developed and commenced implementation of its 2013/2017 plan.

From June to November 2012, Elections ACT occupied temporary accommodation at 41 Rae Street, Belconnen to meet its need for additional space in lead-up to and during the 2012 election. The relocation to and from the permanent office in Civic Square was itself a large logistical exercise.

Outlook

The main focus of the Commission and Elections ACT in 2013/2014 will be on the long-term planning for the 2016 Legislative Assembly election.

One of the main activities will be commencing examination of options for the upgrade of Elections ACT's ICT election systems. While the systems in place for the 2012 election operated successfully, with the four years between elections and the rapid changes in technology likely in that period of time, it is important that systems be upgraded to operate in the contemporary environment.

Another major project likely to occur in 2013/2014 is the transition of the Commission to the status of an office of the parliament. Under the Parliamentary Agreement signed on 2 November 2012 by the Chief Minister, Ms Katy Gallagher MLA, and the ACT Greens Member for Molonglo, Mr Shane Rattenbury MLA, ACT Labor agreed to support an ACT Greens bill for establishment of the Electoral Commissioner as an officer of the parliament. On 7 May 2013, Mr Rattenbury indicated in the Assembly that he intended to present a bill to make the Commissioner an officer of the parliament later in 2013.

This proposal, if implemented, will have significant implications for the Commission with respect to its staffing, budget and interaction with the Legislative Assembly and the executive.

Another task will be following up the recommendations made by the Commission in its detailed report on the 2012 election (finalised in July 2013 and tabled in the Assembly on 8 August 2013) by providing advice as required to the Government and the Assembly on proposed changes to the Electoral Act.

ACT government agency enterprise agreements expired at the end of June 2013. It is expected that agreement ballots will commence in the 2013/2014 reporting year. It is anticipated that the Commission's netVote system will be again employed for most of these ballots.

Changes to the Commonwealth Electoral Act in 2012 allow the Australian Electoral Commission to directly enrol new electors and update the enrolment of existing electors using trusted data sources, without the electors being required to take action. It is expected the processes for maintaining the electoral roll will be substantially altered throughout Australia and may lead to considerable improvements in the accuracy and completeness of the roll in the ACT. The changes have been progressively rolled out in each state and territory, with implementation in the ACT occurring in the first half of the 2013 calendar year. The Commission will work closely with the AEC and the ECANZ to ensure the successful implementation of this new way of maintaining the electoral roll.

During 2013/2014 the Commission will continue to provide advice to Government and Members of the Legislative Assembly on electoral matters as required. Elections ACT will also continue its usual program of conducting fee-for-service elections and provision of electoral education and information services to the ACT community.

Other projects to be undertaken will include:

- ◇ Completing the implementation of the election funding, expenditure and financial disclosure reforms enacted in May 2012, and implementing revised administrative arrangements for managing the scheme;
- ◇ Conducting audits of compliance with the election financial disclosure scheme;
- ◇ Making arrangements for the conduct of the 2014 Aboriginal and Torres Strait Islander Elected Body elections, due to commence in May 2014, with polling in July 2014;
- ◇ Continuing the schools based electoral education program; and
- ◇ Continuing the Commission's non-parliamentary election program.

Elections ACT staff will take advantage of the relative quiet of a post-election year to undertake personal development opportunities.

Management discussion and analysis

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

The Commissioner's total budget allocation in 2012/2013 was approximately \$4.880 million. Of this amount, a total of \$2.763 was allocated for election readiness and conduct, and \$0.823 was allocated for campaign finance reforms. Details of the Commission's budget and expenditure are included in Table 3 on page 15. In addition, capital funding of \$0.262 million was expended in 2012/2013 on the upgrade of the Elections ACT ICT systems. The remaining amount of the funding of the 2009/2013 ICT capital project to upgrade the Elections ACT ICT systems, of \$0.069, has been rolled into 2013/2014, for the purchase of election project management software. This purchase will successfully conclude this ICT capital project.

The Commission had sought and received additional budget funding for the 2012 election and future elections to cover increasing cost pressures. These included salary increases for polling officials and the rising cost of advertising, hire of polling places and ICT services, together with increases related to population growth. Additional funding was also provided to the Commission in 2012/2013 for the changes made to the electoral expenditure, funding and disclosure scheme. Capital funding for the upgrade of the Commission's ICT systems also reduced the pressure on the Commission's normal operational budget.

Owing to the focus in 2012/2013 on the 2012 election, the Commission did not spend all of the funds allocated to it for the campaign finance reforms. Accordingly, \$0.387 million has been rolled over into the Commission's 2013/2014 budget.

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

Expenditure on the 2012 election and the election ICT projects was comfortably within the budget allocations.

The total operating result for Elections ACT for 2012/2013 was a surplus of \$0.091 million.

Financial report

The Commission does not have financial reporting obligations under the Financial Management Act. The Commission is included in the JACS portfolio for budgetary purposes. In the JACS administrative structure for 2012/2013, the Commission was included in Output Class 1.6 – Electoral Services.

The financial transactions for the Commission for the year ending 30 June 2013 are formally reported in the consolidated financial statements of the JACS Annual Report. The Commission's financial results have been audited for the purposes of the *Audit Act 1989* as part of the JACS portfolio.

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

Table 3 - Financial summary for 2012/2013

ACT Electoral Commission	Budget \$'000	Actual Outcome \$'000
Revenue		
Government Payment for Outputs	4,880	4,493 ¹
Other Revenue	19	23
Total Revenue	4,899	4,516
Expenses		
Employee Expenses	1,792	1,690
Superannuation	219	174
Administration Expenses	2,870	2,359
Depreciation	306	202
Total Expenses	5,187	4,425
Operating Result	-288	91

Note 1: The actual/outcome column demonstrating the Government Payment for Outputs does not include the roll over amount of \$0.387 million into 2013/2014.

In 2009/10, the Commission received capital funding of \$1.373 million over 4 years for the upgrade of its election ICT systems for the 2012 Legislative Assembly election. Funding in 2009/10 was \$0.322 million with expenditure of \$0.180 million. Funding in 2010/11, including funds rolled over from 2009/10, was \$0.556 million. Expenditure for 2010/11 was \$0.278 million, with unexpended funds rolled over to 2011/12. Funding in 2011/12, including funds rolled over from 2010/11, was \$0.612 million. Expenditure for 2011/12 was \$0.584 million, with unexpended funds rolled over to 2012/13. The final expenditure for 2012/2013 was \$0.262 million with the remaining amount of \$0.069 million rolled over into the 2013/2014 financial year.

Additional funding was sought by Elections ACT in the 2012/2013 budget process for implementing the new campaign finance laws that came into effect on 1 July 2012. The 2012/2013 budget included additional funding for electoral services to cover additional staff costs for 2012/2013 and 2013/2014, the cost of implementing on-line reporting of disclosures, and funds to cover the increase in election public funding and the new administration fund for MLAs. A total of \$0.823 million was allocated in the budget for the campaign finance reforms.

Owing to the focus in 2012/2013 on the 2012 election, the Commission did not spend all of the funds allocated to it for the campaign finance reforms. Accordingly, \$0.387 million has been rolled over into the Commission's 2013/2014 budget.

Statement of performance

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

Discussion of the Commission's performance indicators is included in this report under **Performance indicators** on page 7 and under **Analysis of agency performance** from pages 17 to 55.

Strategic indicators

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

Analysis of agency performance

This section reports on activities undertaken in each key result area in 2012/2013 to achieve the Commission's goals.

Goal 1 - To conduct high quality elections and referendums

Performance indicator summary

Objectives	Measures	Outcomes
Increase voter turnout at Legislative Assembly elections	Participation rates	Turnout 2012 election: 89.3% Turnout 2008 election: 90.4% Turnout 2004 election: 92.8% Turnout 2001 election: 90.9%
Deliver service within timeline targets	Timelines met	All timelines met.
Increase formal voting at Legislative Assembly elections	Formal voting rates	Formal voting 2012 election: 96.5% Formal voting 2008 election: 96.2% Formal voting 2004 election: 97.4% Formal voting 2001 election: 96.0%

KEY RESULT AREA 1.1

ELECTIONS FOR THE ACT LEGISLATIVE ASSEMBLY

The conduct of the 2012 ACT Legislative Assembly election

The October 2012 Legislative Assembly election was the major focus of the Commission's activities in 2012/2013.

At each ACT Legislative Assembly election, the ACT Electoral Commission aims to improve upon the services it provides. At the 2012 election the Commission consolidated the achievements of the 2008 election and introduced further innovations. Of particular note was the introduction of a comprehensive electronic polling place management system, incorporating the networked marking of names of voters on electronic electoral rolls across all polling places, electronic transmission of results on polling night, on-line interactive training of polling officials and the provision of electronic voting to around 1 in 4 of all ACT voters.

These improvements and innovations helped Elections ACT to provide a high standard of electoral services to the largest number of ACT electors at an ACT Legislative Assembly election. The result of the election was also provided in the shortest time, beating the 2008 election record by a few hours. The final result for the election was announced in the afternoon of Saturday 27 October 2012, 7 days after polling day.

Notable features of the election are listed under **Highlights** on page 11.

The Commission presented its detailed **Report on the ACT Legislative Assembly Election 2012**, prepared under section 10A of the Electoral Act, to the Attorney General in July 2013, and the report was tabled in the Assembly on 8 August 2013. The report includes detailed analysis of the conduct of the 2012 election, and makes recommendations for changes to electoral legislation with a view to preparations for and the conduct of the 2016 ACT Legislative Assembly election.

This annual report includes a summary and highlights of the conduct of the election. However, readers seeking more detailed information on the election will find it in the election report and the **Election statistics** for the election, published in December 2012.

The key dates for the 2012 election are shown in the following table:

Table 4 - Key election dates

Event	Date
Last day to lodge applications for party registration	30 June 2012
Close of register of political parties	13 September 2012
Pre-election period commenced and nominations opened	14 September 2012
Rolls closed	21 September 2012 (8 pm)
Nominations closed	26 September 2012 (12 noon)
Nominations declared and ballot paper order determined	27 September 2012 (12 noon)
Pre-poll voting commenced	2 October 2012
Pre-poll voting concluded	19 October 2012 (8 pm)
Polling day	20 October 2012 (8 am – 6 pm)
Last day for receipt of postal votes	26 October 2012
Election result announced	27 October 2012
Declaration of the poll	31 October 2012
Legislative Assembly formed	6 November 2012

Innovative use of information and communications technology in the 2012 election

Since the conduct of the Commission's first election in 1995, Elections ACT has progressively introduced a range of information and communications technologies aimed at better, faster electoral services to the ACT community. Elections ACT has led Australia in the adoption of many electoral ICT innovations, including electronic voting and ballot paper scanning. In 2012, Elections ACT introduced another first for an Australian jurisdiction, an all-in-one polling place management system called the electronic Legislative Assembly Polling Place System (eLAPPS).

eLAPPS incorporated electronic OIC returns including electronic ballot paper reconciliation, electronic results publication direct from the polling place onto the electronic tally room and whole of jurisdiction electoral roll mark-off involving transmission of marks across the 3G network to a central database and back out to all units in the ACT.

The 2012 election also saw the extension of electronic voting to around 1 in 4 of all ACT voters, the continued use of on line applications for postal votes, the introduction of an on-line casual employment application including an on-line form for recording salary and tax information, the introduction of a fully web-based polling place training system, and the use of electronic scanning of handwritten preferences on paper ballots (also used in 2008). As has been the case in all past ACT Legislative Assembly elections, ICT was also used extensively in office applications.

These innovations are discussed further in the **Report on the ACT Legislative Assembly Election 2012**.

These innovations combined to provide electoral services to the greatest number of ACT electors since self-government was introduced, with the result provided in the shortest time ever. The final result for the election was announced on Saturday, 27 October 2012, 7 days after polling day. These outstanding results reflect the productivity and accuracy which comes with effective use of electronic technologies.

The Commission was awarded a 2013 JACS Director-General Innovation Award for the innovative use of electronic systems in the 2012 Legislative Assembly election.

Community education campaign for the 2012 election

The Commission undertook an extensive communication campaign leading up to the 2012 election. The campaign communicated several messages to ACT electors, including:

- ◇ Informing ACT electors that there would be an election for the ACT Legislative Assembly on 20 October 2012;
- ◇ Informing potential electors when and how to enrol before the electoral roll closed with special focus on the 18-25 year old age group;
- ◇ Informing electors which electorate they were enrolled in (emphasising the 2011 redistribution of electorate boundaries which transferred the suburbs of Crace and Palmerston from Molonglo to Ginninderra);
- ◇ Ensuring the public was aware that voting is compulsory;
- ◇ Providing information about how to cast a valid and informed vote (including an explanation of the implications of preference choices, such as numbering only one box, numbering the number of boxes for which there are seats in the electorate, or giving preferences to as many candidates as the electors wish);
- ◇ Providing information about the physical requirements of the election, such as where to vote, when to vote, what to do in special circumstances (including information on pre-poll voting, postal voting and voting at polling places on polling day);

- ◇ Informing voters of the 100 metre ban on political canvassing outside polling places; and
- ◇ Informing voters that electronic voting was available at pre-poll voting centres and equipping voters to use this method of voting.

The campaign also included providing information to political parties and potential candidates to ensure they understood the requirements they needed to meet in order to actively participate in the election.

The Commission worked closely with ACT Publishing Services to modernise the look and feel of the election information campaign by updating artwork and incorporating new branding and formatting for the 2012 election, while still maintaining the concept and message of the previous campaigns – ‘Shaping Canberra’s Future’. This creative partnership resulted in the successful development of several different icons which assisted electors to visually identify the Commission’s 2012 election information campaign.

For the first time the Commission engaged in the use of social media, including operating Facebook, Twitter and YouTube accounts.

The information campaign included the following methods for engaging electors:

- ◇ Television, radio, newspaper and online advertising;
- ◇ Canberra Connect silver-screens in shopfronts;
- ◇ Media releases;
- ◇ Mail outs of information booklets to every household in the ACT;
- ◇ Bus shelter advertising;
- ◇ Establishing a contact centre with Canberra Connect;
- ◇ Elections ACT website;
- ◇ Social Media – Facebook, Twitter, YouTube;
- ◇ Providing targeted information for people with disabilities, those from culturally and linguistically diverse background and those from the Aboriginal and Torres Strait Islander community within the ACT;
- ◇ School and community group programs; and
- ◇ Market research.

In recognition of the Commission’s achievements with its information campaign for the 2012 ACT election, the Commission was presented with an ACT Multicultural Award in the Media category in November 2012.

Detailed information about the information campaign and the findings of the market research can be found in the Commission’s **Report on the ACT Legislative Assembly election 2012**.

Casual vacancy in the ACT Legislative Assembly

On 11 June 2013 the Speaker of the ACT Legislative Assembly informed the Electoral Commissioner that Mr Zed Seselja MLA had that day resigned his office as Member for the Brindabella electorate of the Assembly.

On 14 June 2013 the Commissioner published a notice in *The Canberra Times* inviting unsuccessful candidates who stood for the Brindabella electorate at the 20 October 2012 election to apply to contest the vacancy.

At 12:30 pm on 24 June 2013 the acting Commissioner publicly declared that 7 candidates had applied to contest the casual vacancy.

As more than one candidate had applied to contest the vacancy, the acting Commissioner conducted a recount of the ballot papers counted for Mr Seselja at the 2012 election immediately after the declaration of the candidates. At the completion of the recount, including the distribution of preferences using the eVACS® electronic counting system, with a quota for election of 4,814 votes, Ms Nicole Lawder had received 4,817 votes. The count of votes to decide the vacancy was conducted in a matter of minutes using the eVACS® system.

Accordingly, the acting Commissioner declared Ms Lawder elected to the ACT Legislative Assembly for the electorate of Brindabella on 26 June 2013.

KEY RESULT AREA 1.2

ELECTION AND REFERENDUM SERVICES TO OTHER AGENCIES

Elections ACT's program of providing election and referendum services for other organisations continued in 2012/2013.

Interstate elections

Elections ACT provided over-the-counter pre-poll voting, postal vote applications, postal ballot papers and enquiry services for interstate and electoral authorities in 2012/2013. Details of these elections are shown in Table 5.

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

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

Table 5 - Interstate and international elections

Election	Polling day	Assistance provided	Votes
Northern Territory General election	24/08/2012	Pre-poll voting	9
Northern Territory – Wanguri by-election	15/02/2013	Pre-poll voting	0
Western Australian General election	8/03/2013	Pre-poll voting	157
Queensland – De-amalgamation poll (local govt)	09/03/2013	Postal vote applications	0
Tasmanian Legislative Council elections – Montgomery, Nelson and Pembroke	3/04/2013	Postal vote applications	0
Victoria – Lyndhurst by-election	26/04/2013	Pre-poll voting	1
Total			167

Statutory elections

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

Aboriginal and Torres Strait Islander Elected Body elections

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

Two casual vacancies on the Elected Body were filled during the reporting year. In September 2012 a vacancy resulting from the resignation of Mr William Hodges was filled by Mr Maurice Walker, on the count-back of the ballot papers that elected Mr Hodges. In March 2013 a vacancy resulting from the resignation of Mr John Paul Janke was filled by Mr Masepah Banu, on the count-back of the ballot papers that elected Mr Janke.

Fee-for-service electoral services

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

Australian National University elections

Elections ACT assisted with the Australian National University (ANU) Union annual elections and the ANU Students' Association (ANUSA) annual elections in 2012.

Nominations for the ANU Union elections closed on 24 July, polling was conducted from 6-9 August and the results were determined on 10 August.

For the ANUSA elections, nominations closed on 8 August, polling was conducted from 20-23 August and final results were determined on 28 August.

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

Details of these elections are shown in Table 6.

Table 6 - Australian National University elections

Election	Vacancies	Candidates	Votes
Election of 4 ANU Union directors	4	12	1,230
ANU Students' Association annual elections	38	124	1,520
Total	42	136	2,750

Enterprise agreement ballots

Elections ACT conducted two enterprise agreement ballots for ACT government agencies in 2012/2013. Details of these ballots are shown in the Table 7 in chronological order.

Table 7 - Enterprise agreement ballots

Election	netVote election	Polls closed	Result provided	Votes
ACT Fire Brigade	Yes	18/09/2012	18/09/2012	220
ACT Ambulance Service	Yes	03/10/2012	03/10/2012	121
Total				341

Other elections

Elections ACT conducted or assisted with 3 other elections in 2012/2013. Details of these elections are shown in the Table 8 in chronological order.

Table 8 - Other elections

Election	Vacancies	Candidates	Polls closed	Result provided	Votes
Australian Trucking Association	2	3	12/03/2013	13/03/2013	83
Aboriginal Justice Centre Inc Election of Board Members	7	7	28/03/2013	28/03/2013	na
University House	2	5	11/04/2013	12/04/2013	146
Total	10	13			229

Internet resources

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

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

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

Performance indicator summary

Objectives	Measures	Outcomes
High level of electoral enrolment	Participation rate >95% of eligible population	Enrolment was 95.9% of eligible population at 30 June 2013.
Maintain high client satisfaction	Feedback from clients/electors	All electoral education and fee-for-service election clients expressed satisfaction.
Manage registration of political parties	Statutory requirements met	All statutory requirements met.
Redraw electoral boundaries for each election	Statutory requirements met	A redistribution of electoral boundaries commenced in January 2011 and concluded in October 2011. All relevant statutory requirements were met.

KEY RESULT AREA 2.1

ELECTORAL INFORMATION AND ADVICE

Information service

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

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

Publications

The following items were published in 2012/2013:

- ◇ *ACT Electoral Commission Annual Report 2011/2012*;
- ◇ *Election statistics: ACT Legislative Assembly election 2012*;
- ◇ *ACT election 2012: Information for voters* pamphlet;
- ◇ *ACT election 2012: Election guide* pamphlet;
- ◇ *Candidate Information* handbook;
- ◇ *Scrutineers Information* handbook;
- ◇ *Election funding, expenditure and financial disclosure – 2012/2013* handbook and related forms; and
- ◇ *Election funding, expenditure and financial disclosure – 2012 election* handbook and related forms.

In addition, the following are available from the Commission:

- ◇ ACT Electoral Commission Annual Reports since 1992/1993;
- ◇ Election Statistics for the 1992, 1995, 1998, 2001, 2004 and 2008 elections;
- ◇ Reports on the conduct of the election and the operation of the Electoral Act for the 1995, 1998, 2001, 2004 and 2008 elections;
- ◇ *The 2001 ACT Legislative Assembly Election: Electronic Voting and Counting System Review*;
- ◇ *The 2004 ACT Legislative Assembly Election: Electronic Voting and Counting System Review*;
- ◇ Redistribution reports, public submissions and statistics for the 1992, 1996, 2000, 2003, 2007 and 2011 redistributions;
- ◇ Information brochure on voting in the ACT for new citizens;
- ◇ *Electoral Compendium 1989-2011*;
- ◇ *How to Register a Political Party for ACT Legislative Assembly Elections* handbook
- ◇ Maps of ACT electorates;
- ◇ Various electoral enrolment and voting forms;
- ◇ Various election funding and financial disclosure handbooks;

- ◇ Information Fact Sheets;
- ◇ Two student workbooks entitled What is the ACT Legislative Assembly? for primary and secondary school students visiting the Legislative Assembly;
- ◇ *Customer commitment statement*;
- ◇ Freedom of information statements;
- ◇ Electronic voting data from the 2001, 2004, 2008 and 2012 ACT elections on CD-ROM (on request and payment of fee); and
- ◇ Electronic voting data from the 2008 and 2012 ACT elections available for free download from the Elections ACT website.

Internet

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

Information and services provided on the website in 2012/2013 included:

- ◇ General information about the Commission and Elections ACT;
- ◇ Detailed information for political parties, candidates, media and voters regarding the 2012 ACT Legislative Assembly election;
- ◇ A facility for electors to apply for a postal vote on-line;
- ◇ A facility for non-voters to reply to apparent non-voter notices;
- ◇ Details of the result of the count for the 2012 ACT Legislative Assembly election;
- ◇ Information on the Review of the size of the ACT Legislative Assembly, conducted by the Expert Reference Group chaired by the Electoral Commissioner;
- ◇ Details of past ACT Legislative Assembly elections, casual vacancies and referendums;
- ◇ Information and submissions regarding electoral boundaries;
- ◇ Media releases;
- ◇ The party register, including details on the registration of political parties;
- ◇ Information on the election funding, expenditure and financial disclosure scheme, including downloadable copies of returns;
- ◇ A facility for political parties to lodge election financial disclosure returns on-line;
- ◇ Information for organisations wishing to run their own elections;
- ◇ Information for schools wishing to run their own elections;
- ◇ A link to the AEC electoral enrolment forms, and other enrolment information;
- ◇ Printable copies of the Commission's publications; and
- ◇ Links to electoral legislation, other electoral bodies and ACT agencies.

Advice

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

As 2012/2013 was an election year, the provision of advice was primarily focussed on election related issues, in particular through the Commission's election information campaign.

One significant matter was the Chief Minister's appointment of the Electoral Commissioner to chair an Expert Reference Group to inquire into and report on the size of the ACT Legislative Assembly. The group was appointed in December 2012 and provided its report to the Chief Minister on 28 March 2013. The report was released by the Chief Minister on 16 April 2013.

Examples of advice provided during the year include:

- ◇ Appearing before the Standing Committee on Justice and Community Safety in relation to the Commission's 2011/2012 annual report; and
- ◇ Appearing before the Select Committee on Estimates 2013/2014.

Electoral legislation

In 2012/2013 there were no amendments made to the Electoral Act, although the amendments contained within the *Electoral Amendment Act 2012*, passed by the Assembly in May 2012, came into effect on 1 July 2012.

The *Magistrates Court (Electoral Infringement Notices) Regulation 2012* came into effect on 1 July 2012.

These are discussed below.

Electoral Amendment Act 2012

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

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

Consequential amendments were made to the *Electoral Regulation 1993* and the *Referendum (Machinery Provisions) Act 1994*.

These changes came into effect on 1 July 2012.

Further information about these changes are discussed under **Campaign finance reform** on page 42.

Magistrates Court (Electoral Infringement Notices) Regulation 2012

Part 3.8 of the *Magistrates Court Act 1930* provides that offences prescribed by a regulation made under the Magistrates Court Act can be dealt with by way of an infringement notice. The *Magistrates Court (Electoral Infringement Notices) Regulation 2012* enables infringement notices to be issued for the offence of failing to give the Commissioner a disclosure return under sections 236(1) of the Electoral Act and the offence of giving the Commissioner an incomplete disclosure return under section 236(2).

Infringement notices are intended to provide an alternative to prosecution. Under the Magistrates Court Act a person authorised to issue an infringement notice for an offence has the discretion to decide whether or not to issue a notice.

The *Magistrates Court (Electoral Infringement Notices) Regulation 2012* came into effect on 1 July 2012.

Amendment to the Electoral Regulation 1993

An amendment to the *Electoral Regulation 1993* was made during 2012/2013 to authorise the ACT Chief Health Officer to obtain information from the ACT electoral roll for the purpose of contacting women to offer them breast cancer screening and prevention programs as well as for the purpose of contacting people aged 45-49 to promote health check programs.

The amendment also authorised the Public Trustee of the ACT to obtain extracts of the ACT electoral roll for the purpose of administering deceased estates.

The amendment took effect on 13 June 2013.

Minor amendments to the Electoral Act passed in 2012/2013

There were no minor amendments to the Electoral Act passed in 2012/2013.

Amendments to the Commonwealth Electoral Act relevant to the ACT

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

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

Both of these Acts took effect from 25 July 2012. The implementation of the amendments was progressively applied through 2012/2013, with implementation in the ACT commencing in March 2013.

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

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

The Maintaining Address Act provisions that impact on ACT electors:

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

Amendments to the Aboriginal and Torres Strait Islander Elected Body Act 2008

The ACT Legislative Assembly passed the *Aboriginal and Torres Strait Islander Elected Body Amendment Act 2013*, with amendments effective from 6 March 2013.

This Amendment Act altered the timetable for election of members to the Elected Body. The revised timetable has the election commencing in May of the election year, with the polling period in July. The next election is due in 2014. The amendments also clarified when the term of a member commences and concludes. The amendments stemmed from recommendations made by the Commission to the Elected Body following the 2011 Elected Body election.

KEY RESULT AREA 2.2

ELECTORAL ENROLMENT

Joint roll arrangement

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

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

Following the passage in June 2012 of amendments to the Commonwealth Electoral Act to provide for the direct update and direct enrolment of electors, the Commissioner and the AEC agreed not to adjust the base rate for the 2012/2013 year, although a review of the rate was scheduled. The amendments to the Commonwealth Electoral Act will have a fundamental impact on the way the joint electoral roll is maintained by the AEC, and therefore also the funding arrangements that will apply. The review of the funding arrangements under the joint roll arrangements with all states and territories is expected once the direct enrolment and update provisions have been fully implemented.

The fee set for 2012/2013 was \$0.750395 per elector (up from \$0.74168 per elector in 2011/2012). Joint roll payments for the year totalled \$189,378 (excluding GST).

Completeness and accuracy of the ACT electoral roll

The maintenance of the electoral roll to a high level of completeness and accuracy is one of the key tasks undertaken by all Australian electoral authorities. The importance of this task for the ACT Electoral Commission is indicated by the inclusion in the budget papers of an ongoing performance indicator aimed at demonstrating that the ACT has secured a high level of electoral enrolments. The target for this indicator is greater than 95% of the estimated eligible population. As at 30 June 2013 it is estimated that 95.9% of the eligible population was enrolled in the ACT.

The tables in this section show the enrolment activity over the 3 years to 2012/2013 (Table 9), the level of enrolment by age group for 30 June 2012 and 2013 and at the close of rolls for the 2012 ACT election (Table 10). The information in these tables shows that the level of enrolment in the ACT fluctuates according to the ACT and federal election cycles.

Historically, the rate of enrolment for the ACT has been among the highest of any Australian jurisdiction and compares well against the Australian average participation rate, which was around 91.4% at 30 June 2013. However, the tables also indicate that participation in younger age groups continues to be comparatively low, especially at times removed from a general election.

The fluctuation in enrolment levels in the ACT may, over time, flatten following the implementation of changes made to the Commonwealth Electoral Act that took effect from July 2012. These changes permit the Australian Electoral Commission to directly enrol new electors and update the enrolment of existing electors using trusted data sources, without electors being required to take action. It has the potential to significantly alter the way in which the electoral roll is maintained throughout Australia and may lead to considerable improvements in the accuracy and completeness of the roll in the ACT. The changes have been progressively rolled out in each state and territory, with implementation in the ACT in the first half of the 2013 calendar year. The Commission will work closely with the AEC and the ECANZ to ensure the successful implementation of this new way of maintaining the electoral roll.

At 30 June 2013, an improvement in roll numbers has begun to be seen, although how much of this can be attributed to the new provisions, how much to the 2012 ACT election information campaign, and how much to the impending federal election is difficult to determine.

As the new provisions of the Commonwealth Electoral Act described above could not be implemented before the rolls closed for the ACT election on 21 September 2012, the Continuous Roll Update (CRU) mechanisms for updating the roll continued to be used in the lead up to the close of the roll. CRU is the term used to describe the range of methods used to update the ACT electoral roll, introduced in 1999. These methods are described in detail in the Commission's *Annual Report 2002/2003*. Once fully implemented, direct enrolment and update may have a profound impact on the way CRU operates into the future.

The Commission, with the AEC, began a program of activities in early 2012 with the aim of stimulating roll numbers before the close of rolls for the 2012 ACT Legislative Assembly election. These activities included:

- ◇ The Elections ACT 2012 Legislative Assembly election information and advertising campaign, including the use of social media for the first time;
- ◇ Resumption of mailing to young people on the occasion of their 18th birthday encouraging them to enrol;
- ◇ Fieldwork in July and August 2012 targeted at areas of high population growth and turnover but relatively low enrolment;
- ◇ The AEC's national "Count Me In" enrolment campaign; and
- ◇ Using change of address data provided by Centrelink, Australia Post, the ACT Motor Registry, the ACT Board of Senior Secondary Studies and ActewAGL to generate letters to households where electors may need to update their enrolment during February to August 2012.

The result was a heightened rate of enrolment activity in the lead-up to the ACT election close of rolls, with the percentage of enrolment to eligible population increasing from 92.5% at 30 June 2012 to 93.9% at the close of rolls on 21 September 2012. Nevertheless, this level of enrolment fell short of the performance indicator target of 95%.

Table 9 - Enrolment activity – ACT electoral roll

Enrolment activity	2010/2011		2011/2012		2012/2013	
Enrolment at 1 July ¹		242,415		247,661		251,150
Additions		+17,837		+12,758		+25,135
New enrolment	4,912		4,536		8,728	
Re-enrolment	3,462		937		2,792	
Re-instatement	30		13		37	
Transfer into the ACT	9,433		7,272		13,578	
Movements within the ACT						
Transfers between electorates	5,857		4,789		10,342	
Changes within electorates	13,003		8,980		19,037	
No change enrolment ²	5,319		2,018		5,044	
Adjustments ³		-28		-15		-114
Previous federal only (+)	21		18		17	
Voters to provisional (-)	-1		-19		-1	
Now federal only (-)	-48		-14		-73	
Other (+/-)					-57	
Deletions		-12,563		-9,254		-14,674
Objections ⁴	-1,696		-683		-1,016	
Deaths	-1,520		-1,179		-1,406	
Duplications	-119		-26		-113	
Transfers out of the ACT	-9,228		-7,366		-12,139	
Enrolment at 30 June 1		247,661		251,150		261,497

Note 1: The figures in the table do not include the enrolment of 16 or 17 year olds.

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

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

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

Table 10 shows enrolment by age group as at 30 June 2012, 21 September 2012 (the date of the close of rolls for the 2012 Legislative Assembly election) and 30 June 2013, compared to estimates of the eligible population in those groups. The eligible population excludes estimated numbers of non-citizens and other people ineligible to enrol in the ACT.

The table shows that the number of electors on the ACT roll has increased from 251,150 at 30 June 2012, to 256,702 at 21 September 2012, and to 261,497 at 30 June 2013. The percentage enrolment also increased from 92.5% at 30 June 2012, to 93.9% at the close of rolls, and to 95.9% at 30 June 2013, at which point it again exceeded the performance target of 95%.

The table also indicates that the proportion of 18 year-olds enrolled in the ACT has increased from a low of 48.4% at 30 June 2012 to 67.3% at the close of rolls for the 2012 ACT election, and again to 71.6% at 30 June 2013. The percentage enrolment for 19 year olds has also increased from a low of 42.8% at 30 June 2012 to 56.0% at the close of rolls, and again increased to 80.3% at 30 June 2013. However, enrolment levels at these ages, and for the 20 to 24 age group, continue to lag behind the enrolment levels at other ages and the average enrolment in the ACT.

The Commission's specific targeting of 18 to 25 year olds in the lead-up to the October 2012 ACT Legislative Assembly election is likely to have contributed to the improvement in the enrolment levels in this cohort at the time of the ACT election, while noting that observed trends indicate that high proportions of young people do not enrol unless an election is imminent. The further improvement in enrolment levels at 30 June 2013 is likely a reflection of the impending federal election.

Table 10 - Enrolment by age group

Age group	30 June 2012		21 September 2012 1		30 June 2013	
	Number enrolled	% of estimated entitled to enrol ⁴	Number enrolled and entitled to vote ³	% of estimated entitled to enrol ⁴	Number enrolled and entitled to vote ³	% of estimated entitled to enrol ⁴
18	2,478	48.4%	3,435	67.3%	3,304	71.6%
19	2,421	42.8%	3,165	56.0%	4,193	80.3%
20-24	23,050	78.4%	23,499	79.8%	23,614	83.4%
25-29	25,564	87.9%	26,102	88.7%	26,378	91.8%
30-34	24,708	94.3%	25,456	96.1%	26,271	96.7%
35-39	24,051	93.2%	24,393	93.6%	24,590	99.8%
40-44	24,575	97.4%	25,062	98.4%	25,576	97.3%
45-49	22,746	93.4%	22,920	93.3%	23,118	99.4%
50-54	23,123	98.0%	23,273	97.8%	23,442	98.8%
55-59	20,338	98.3%	20,497	98.2%	20,481	100.4%
60-64	18,553	99.4%	18,619	99.1%	18,703	101.2%
65-69	13,833	108.0%	14,229	110.4%	14,992	98.5%
70+	25,710	103.7%	26,052	104.6%	26,835	101.3%
Total	251,150	92.5%	256,702	93.9%	261,497	95.9%

Note 1: 21 September 2012 was the date of the close of rolls for the 2012 ACT Legislative Assembly election.

Note 2: The 3,435 electors shown as 18 year olds at the close of rolls for the 2012 election include 267 17 year old electors who turned 18 after the close of rolls and on or before polling day (20 October 2012), and were therefore entitled to vote.

Note 3: As 16 and 17 year old enrolment is voluntary, the number of 16 and 17 year olds on the roll are not included in the total for the ACT for 30 June 2012 and 2013. There were 1,160 and 1,336 17 year olds on the electoral roll at 30 June 2012 and 2013, respectively. There were 61 and 447 16 year olds on the roll at 30 June 2012 and 30 June 2013, respectively.

Note 4: The estimates of the proportion of electors who are actually enrolled compared to the estimated number of people eligible to enrol needs to be treated with caution, as the latter is based on various assumptions about residency and eligibility. The estimates for the dates shown are post-censal estimates based on 2011 census data updated by birth and death registrations, and estimated interstate and overseas migration. The estimates of the eligible population may alter following the rebasing of the estimates, as they were after 30 June 2011 (rebased upwards) and 30 June 2012 (rebased downwards). An increase in the estimated eligible population will be reflected as a decrease in the participation rate, and vice versa. The fact that some age groups show participation rates greater than 100% is likely to be due to the nature of the estimates, and because there is a delay in removing people from the roll by the AEC, where it has information that people may have left their enrolled address, pending further investigation of these enrolments.

Table 11 sets out enrolment by age by ACT electorate as at 30 June 2012 and 2013.

Table 11 - Enrolment by age group by electorate as at 30 June 2012 and 2013

Age group	Brindabella		Ginninderra		Molonglo		Total ACT	
	2012	2013	2012	2013	2012	2013	2012	2013
18	802	1,100	777	908	899	1,296	2,478	3,304
19	855	1,338	672	1,234	894	1,621	2,421	4,193
20-24	7,350	7,064	6,649	6,921	9,051	9,629	23,050	23,614
25-29	6,674	6,610	7,511	7,561	11,379	12,207	25,564	26,378
30-34	6,092	6,204	7,681	8,036	10,935	12,031	24,708	26,271
35-39	6,178	6,007	7,538	7,713	10,335	10,870	24,051	24,590
40-44	6,937	7,027	7,201	7,327	10,437	11,222	24,575	25,576
45-49	7,337	7,127	6,315	6,415	9,094	9,576	22,746	23,118
50-54	7,637	7,617	6,455	6,426	9,031	9,399	23,123	23,442
55-59	6,675	6,669	6,097	6,017	7,566	7,795	20,338	20,481
60-64	5,527	5,636	6,042	5,956	6,984	7,111	18,553	18,703
65-69	3,637	3,959	4,588	4,947	5,608	6,086	13,833	14,992
70+	5,813	6,227	7,177	7,531	12,720	13,077	25,710	26,835
Total ¹	71,514	72,585	74,703	76,992	104,933	111,920	251,150	261,497

Note 1: The number of 16 and 17 years olds enrolled is not included in the total enrolment. The numbers of 17 year olds enrolled at 30 June 2012 were 440 in Brindabella, 323 in Ginninderra and 397 in Molonglo. The numbers of 17 year olds enrolled at 30 June 2013 were 441 in Brindabella, 375 on Ginninderra and 520 in Molonglo. The numbers of 16 year olds enrolled at 30 June 2012 were 17 in Brindabella, 22 in Ginninderra and 22 in Molonglo, and at 30 June 2013 were 161 in Brindabella, 104 in Ginninderra and 108 in Molonglo.

Electoral Council of Australia and New Zealand

The Electoral Council of Australia and New Zealand (ECANZ) is a consultative council of Electoral Commissioners from the electoral authorities of the Commonwealth, States and Territories and the Chief Electoral Officer of New Zealand. The Chief Electoral Officer of New Zealand joined the membership of the Electoral Council of Australia (ECA) in 2011/2012, and in 2012/2013 the council changed its name to the Electoral Council of Australia and New Zealand (ECANZ)

The ECANZ considers issues related to the maintenance of the electoral rolls, the operation of new electoral legislation, best practice in the management of elections and other matters of common interest. The ACT Electoral Commissioner attended 2 of the 3 meetings held during 2012/2013, while the acting ACT Electoral Commissioner attended the 3rd meeting.

Main issues discussed by the ECANZ in 2012/2013 included the management of the joint electoral rolls, a review of the CRU program, implications of the introduction of direct enrolment methods, the AEC's 2012 Year of Enrolment "Count Me In" national enrolment campaign and the role of internet voting in Australian elections.

The ECANZ also sponsored meetings attended by representatives of most electoral authorities, including a workshop on electronic voting held in July 2012 and a meeting of the Australian electoral Disability Advisory Committee. Elections ACT staff participated at these meetings.

Commissioner's Advisory Board on Electoral Research (CABER)

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

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

The function of CABER is to provide the Australian Electoral Commissioner with advice on electoral research. It also provides advice on progressing a strategic electoral research framework to better inform and support delivery of electoral services and influence electoral policy reform in Australia.

CABER had its inaugural meeting in Canberra on 7 April 2011. CABER held one meeting in the reporting period on 20 November 2012.

CABER hosted an electoral research forum at Old Parliament House on 19-20 November 2012. The ACT Electoral Commissioner chaired a session on social media, engagement and elections, and gave a short presentation on the ACT's experience with social media at the 2012 election.

In 2012/2013 CABER finalised research reports on direct enrolment and electoral engagement through social media.

State and Territory Electoral Commissioners meetings

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

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

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

STEC met 3 times in 2012/2013. The ACT Electoral Commissioner attended meetings in October 2012 and March 2013, and the acting Electoral Commissioner attended a meeting in June 2013. Issues discussed included standardised survey questions, electoral statistics reporting and the impact of information and communication technologies on election management.

STEC also sponsored working groups attended by representatives of most electoral authorities, including a workshop on emerging trends in information technology, a workshop on future use of electronic devices for roll look-up/mark-off and a workshop on information and education strategies for people from culturally and linguistically diverse backgrounds. Elections ACT staff participated at these meetings. STEC also organised an electoral education network conference in March 2013. The ACT was unable to send a representative to this conference; however, the ACT contributed a presentation on use of social media at the 2012 election to the conference.

KEY RESULT AREA 2.3

ELECTORAL EDUCATION

Electoral education program

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

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

The Commission undertook an extensive community education campaign in the lead-up to the 2012 Legislative Assembly election. For more comprehensive information about this campaign, see **Community education campaign for the 2012 election** on page 19.

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

Elections ACT has a dedicated electoral education/information officer with formal teaching qualifications and experience. Other elections ACT staff also assist with the conduct of electoral education sessions. The number of sessions able to be delivered in 2012 was reduced owing to the focus on the 2012 election.

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

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

In the lead-up to the roll close for the 2012 election, Elections ACT arranged for posters to be displayed in schools and colleges highlighting the need for students turning 18 on or before polling day to enrol, using the Elections ACT Facebook page competition to attract interest.

Table 12 lists electoral education sessions conducted by Elections ACT staff in 2011/2012 and 2012/2013.

Table 12 - Electoral education sessions

Organisation type	Number of participants 2011/2012	Number of participants 2012/2013
Colleges	131	0
Community Groups	62	46
High Schools	225	41
Primary Schools	283	0
Professional Groups	25	48
Total	726	135

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

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

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

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

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

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

Elections ACT continued its relationship with the ACT Department of Education and Training during 2012/2013. Information on Elections ACT education resources and education services was presented to a Teachers' Professional Development Day attended by teachers from a number of colleges and primary schools, both government and non-government.

KEY RESULT AREA 2.4

ELECTORAL BOUNDARIES

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

The most recent redistribution commenced in January 2011. The redistribution concluded with the final determination of boundaries made on 30 September 2011 and the report on the redistribution submitted to the Attorney General on 24 October 2011. The report was tabled in the Legislative Assembly on 27 October 2011.

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

The next redistribution is due to commence in late 2014.

KEY RESULT AREA 2.5

PARTY REGISTRATION

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

Unregistered political parties, wishing to register for the 2012 Assembly election, must have lodged their application to do so before 1 July 2012.

Three political parties lodged applications to register as a political party during the period 27 - 30 June 2012. These parties were: Bullet Train for Canberra, Marion Lê Social Justice Party and Pirate Party Australia (ACT Branch). Processing of the applications occurred in July and August 2012, as the applications were received just before the submission deadline. Subsequently, Bullet Train for Canberra was registered on 2 August 2012 and the Marion Lê Social Justice Party was registered on 7 August 2012. The application for registration made by the Pirate Party Australia (ACT Branch) subsequently lapsed as the party did not submit the names of 100 electors on the ACT electoral roll with its application. Extensive searches of the roll could only confirm 94 members who were enrolled in the ACT.

An application was received from the Australian Labor Party (ACT Branch) to change the registered abbreviation of the party from Australian Labor Party to ACT Labor. This application was also publicly notified inviting any objections to the change. The application was received prior to the 30 June 2012 deadline but the objection period had not closed by 30 June. The change to the register took effect from 17 July 2012. There were no other changes to the register of political parties during the year.

An application to change the name of the registered officer of the Liberal Party of Australia (A.C.T. Division) was received in June 2013. Processing of the application will be finalised in the 2013/2014 reporting year.

As at 30 June 2013, the following 9 parties were listed on the register of political parties. As no parties have been added to the register since the October 2012 ACT Legislative Assembly election, all these parties were eligible to nominate candidates for that election.

Table 13 - Registered political parties as at 30 June 2013

Party name	Party abbreviation
Australian Labor Party (ACT Branch)	ACT Labor
Australian Motorist Party	A.M.P.
Bullet Train for Canberra	
Liberal Democratic Party	Liberal Democrats
Liberal Party of Australia (A.C.T. Division)	Canberra Liberals
Marion Lê Social Justice Party	
Pangallo Independents Party ¹	Pangallo Independents
The ACT Greens	The Greens
The Community Alliance Party (ACT) ¹	Community Alliance

Note 1: The Pangallo Independents Party and The Community Alliance Party (ACT) did not nominate candidates for the 2012 ACT election.

KEY RESULT AREA 2.6

ELECTION FUNDING, EXPENDITURE AND FINANCIAL DISCLOSURE

Major changes to the election funding, expenditure and financial disclosure scheme took effect from 1 July 2012.

As a result of these changes, the ACT's election funding, expenditure and financial disclosure scheme for 2012/2013 consisted of 4 components:

- ◇ Public funding of election campaign expenditure and party/MLA administrative expenditure;
- ◇ Limits on the amount of electoral expenditure that may be incurred;
- ◇ Limits on the amount of gifts that may be received, that are used to incur electoral expenditure; and
- ◇ Disclosure of the financial transactions of registered political parties, political party groupings, MLAs, associated entities, candidates, third party campaigners, broadcasters and publishers.

Additional funding of \$823k was provided to the Commission for the 2012/2013 year to enable the Commission to implement the new provisions that commenced on 1 July 2012. This funding included:

- ◇ Increased public funding to parties and candidates;
- ◇ A new administrative expenditure fund for MLAs;
- ◇ Funding for new on-line disclosure forms and back-end database enhancements;
- ◇ Funding for additional auditing of compliance with the disclosure scheme; and
- ◇ Funding for additional staff to administer the expanded disclosure provisions.

Campaign finance reform

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

The *Electoral Amendment Act 2012* (the Electoral Amendment Act) was passed by the ACT Legislative Assembly on 10 May 2012, and took effect from 1 July 2012. The Electoral Amendment Act included amendments to the Electoral Act reflecting elements of the recommendations of the Standing Committee's report, and made broad changes to the election funding, expenditure and financial disclosure scheme operating in the ACT.

The changes include:

- ◇ Introducing limits on the amount of gifts that may be received for use in ACT election campaigns (\$10,000 per donor per financial year);
- ◇ Introducing limits on the amount of electoral expenditure that may be incurred on ACT election campaigns (\$60,000 per candidate, non-party MLA or third-party campaigner, with parties standing 17 or more candidates only permitted to spend up to \$1,020,000 each);
- ◇ Introducing ACT election bank accounts, that must be kept by those incurring electoral expenditure in ACT election campaigns;
- ◇ Only permitting individual persons on the ACT electoral roll to make gifts to parties, MLAs and candidates for ACT election purposes, with any gifts received from non-ACT electors required to be deposited in a federal election account;

- ◇ Increasing the amount of election funding available to eligible parties and non-party candidates to \$2.00 per formal vote;
- ◇ Introducing administrative funding for parties with representation in the Assembly of \$20,000 per MLA per year (indexed by CPI from 2013);
- ◇ Bringing forward the deadline for lodgement of annual and election financial disclosure returns (with annual returns due by 31 July and most election returns due 60 days after polling day);
- ◇ Bringing forward the date of publication by the Commissioner of annual and election financial disclosure returns (with annual returns due to be published at the beginning of September and election returns due to be published from the beginning of February after polling day);
- ◇ Introducing additional reporting of gifts received, with gifts of \$1,000 or more received in an election year to be disclosed within 7 days of receipt, and gifts of \$1,000 or more received in non-election years to be disclosed within 30 days of receipt;
- ◇ Introducing a limit on the amount of small anonymous gifts that may be received of \$25,000 per party, MLA or candidate per year;
- ◇ New definitions for:
 - the disclosure period;
 - electoral expenditure;
 - gifts; and
 - volunteer labour; and
- ◇ Introducing definitions for:
 - capped expenditure period;
 - financial representative;
 - fundraising contributions;
 - fundraising events;
 - party grouping;
 - prospective candidate; and
 - third party campaigner.

Advising the political parties, candidates and other electoral participants, such as third party campaigners, on the new campaign finance scheme continued to constitute a substantial amount of work for Elections ACT staff in the first half of 2012/2013, particularly the Electoral Commissioner and the Deputy Electoral Commissioner.

A summary of the new provisions was published on the Elections ACT website before 30 June 2012, along with guidelines, forms and an online lodgement system for reporting of gifts received of \$1,000 or more within 7 days of receipt. A handbook for annual and election disclosure and the election disclosure return forms were completed early in the reporting year, with annual disclosure return forms completed early in the 2013 calendar year. All registered political parties and known associated entities were offered a briefing on the new provisions, with all parties except one receiving a briefing during June/July 2012. Requests for information and questions on the new provisions continued in the period up to the election.

Additional funding was agreed by Government for implementing the new campaign finance laws, covering additional staff costs for 2012/2013 and 2013/2014, the cost of implementing on-line reporting of disclosures, funds to cover the increase in election public funding and the new administration fund for MLAs, and additional funds for an increased level of auditing of compliance with the new reporting requirements. Following the election, an on-line reporting facility for election returns for the 2012 election, 2012/2013 annual returns and future election returns was implemented. Work on the back-capture of previous year's returns and an improved framework for the reporting by Elections ACT of details of submitted returns will continue into 2013/2014.

Election funding

The ACT scheme for election funding is a formula based direct entitlement scheme, involving automatic payments to parties and candidates calculated by multiplying the total number of first preference votes received by a prescribed amount, adjusted each 6 months by the all groups consumer price index (CPI) issued by the Australian Bureau of Statistics.

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

The election funding payments made with respect to the 20 October 2012 ACT Legislative Assembly election are provided in the following table:

Table 14 - Public funding at the 2012 election

Registered party	Amount of public funding
Australian Labor Party (ACT Branch)	\$171,982
Australian Motorist Party	\$9,588
Bullet Train for Canberra	\$8,222
Liberal Party of Australia (A.C.T. Division)	\$172,064
The ACT Greens	\$47,546
Total	\$409,402

Administrative funding

One of the changes introduced by the campaign finance reforms of the *Electoral Amendment Act 2012* was the payment of administrative funding to parties with Legislative Assembly representation, and to non-party MLAs (if any).

Payment is made on a quarterly basis in arrears and at commencement amounted to \$5000 per MLA per quarter. Where an MLA is an MLA for only a part of a quarter, the payment is adjusted on a pro rata basis. The provision of administrative funding commenced with effect from 1 July 2012, with the first payments made after the end of the September 2012 quarter.

The amount of payment for administrative funding is indexed to the change in the all groups CPI issued by the Australian Bureau of Statistics for the year ending in September. The amount of funding for the 2013 year was adjusted accordingly, and determined as \$5100.20 per MLA per quarter.

Payments made in 2012/2013 were for the September and December 2012 quarters and the March 2013 quarter, as shown in Table 15.

Table 15 - Payment of administrative funding 2012/2013

Party	September 2012 quarter	December 2012 quarter	March 2013 quarter	June 2013 quarter
Australian Labor Party (ACT Branch)	\$35,000	\$37,717.40	\$40,801.60	\$40,801.60
Liberal Party of Australia (A.C.T. Division)	\$30,000	\$36,630.44	\$40,801.60	\$39,960.90
The ACT Greens	\$20,000	\$8,260.88	\$5,100.20	\$5,100.20

The payment for the June 2013 quarter will be made in July 2013, but was accrued as a 2012/2013 expense.

Financial disclosure

Annual returns

Under the financial disclosure provisions of the Electoral Act, registered political parties, MLAs and associated entities were required to lodge an annual return for the 2011/2012 financial year by 31 July 2012. Persons who donated more than \$1000 to a party, MLA or associated entity were required to lodge annual returns by 31 August 2012. These two deadlines for lodgement of returns were introduced as part of the reforms of the *Electoral Amendment Act 2012*. Previously, annual returns from registered political parties, MLAs and associated entities, and from donors, were due in October and November respectively. Annual returns for 2012/2013 are not due to be lodged until 31 July 2013, outside the current reporting period.

For the 2011/2012 financial year, 7 annual returns were received from political parties, 17 from MLAs, 2 from associated entities and 9 from donors.

Returns were made public on 3 September 2012. Copies of the returns can be viewed at the Elections ACT website.

Table 16 shows a summary of the receipts, payments and debts for the 3 parliamentary parties and the combined other parties for the 2010/2011 and 2011/2012 financial years.

Table 16 - Summary of receipts, payments and debts of ACT registered parties from annual returns

Party	2010/2011			2011/2012		
	Receipts	Payments	Debts	Receipts	Payments	Debts
ALP	\$1,085,134	\$912,100	\$65,619	\$2,123,155	\$874,173	\$82,304
LP	\$585,836	\$481,307	\$130,507	\$732,190	\$759,774	\$157,364
Greens	\$533,510	\$334,041	\$6,028	\$203,946	\$199,664	\$5,305
Other	\$1,133	\$1,652	0	\$1,795	\$305	0
TOTAL	\$2,205,613	\$1,729,100	\$202,154	\$3,061,086	\$1,833,916	\$244,973

The total of payments and the total of receipts for 2011/2012 are the largest amounts in these categories since reporting began.

Public funding of parties compared to private funding

Table 17 shows the sources of funding of the 3 ACT parliamentary parties for the 2010/2011 and 2011/2012 financial years, broken down into private and public funding, and the private funding further broken down into those funds for which the donor is disclosed and the amount for which the donor is not disclosed.

Table 17 - Sources of funding received by the ACT parliamentary parties

2010/2011	ALP		Liberal Party		ACT Greens	
	Amount	% of total received	Amount	% of total received	Amount	% of total received
Total received	\$1,085,134		\$585,836		\$533,510	
Private	\$1,085,134	100%	\$585,836	100.0%	\$309,750	58.1%
Public ¹	n/a	n/a	n/a	n/a	\$223,760	41.9%
Private – disclosed ²	\$888,708	81.9%	\$500,034	85.4%	\$199,128	64.3%
Private – undisclosed ³	\$196,426	18.1%	\$85,802	14.6%	\$110,622	35.7%

2011/2012	ALP		Liberal Party		ACT Greens	
	Amount	% of total received	Amount	% of total received	Amount	% of total received
Total received	\$2,123,155		\$732,190		\$203,946	
Private	\$2,123,155	100%	\$732,190	100%	\$203,946	100.0%
Public ¹	n/a	n/a	n/a	n/a	n/a	n/a
Private – disclosed ²	\$1,872,984	88.2%	\$430,819	58.8%	\$148,644	72.9%
Private – undisclosed ³	\$250,171	11.8%	\$301,371	41.2%	\$55,302	27.1%

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

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

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

Table 17 shows that a large proportion of the funding received by the registered parties is from payers whose identity is not disclosed. Audits of party returns show that much of this funding is made up of small donations, parliamentary levies, membership fees and fundraising activities where the individual amounts paid are less than the \$1,000 disclosure threshold. Up to and including the 2011/2012 financial year, parties were only required to disclose the identity of those people/organisations making individual payments of \$1,000 or more as a single amount. However, some of the amounts received are from people/organisations making a number of payments of less than the threshold that, when summed, add to more than the threshold. If these payments that sum to more than \$1,000 are donations, the donor was required to lodge a return with the Commissioner.

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

A further change to the disclosure scheme from and including the 2012/2013 year is that donors will no longer be required to lodge returns.

Election returns

Election returns outlining electoral expenditure are required following an ACT election from registered political party groupings, non-party candidates and third party campaigners.

In addition, election returns of gifts received are required from non-party candidates and third party campaigners where the total of the gifts from any one person is \$1000 or more.

Election returns from political party groupings, non-party candidates and third party campaigners for the 2012 election were required to be lodged by 19 December 2012.

There were 7 party grouping returns, 9 non-party candidate returns and 6 third party campaigner returns received. Returns from the Pangallo Independents Party and The Community Alliance (ACT) Party were not required as these parties did not nominate candidates at the 2012 election.

Broadcasters and publishers were also required to lodge election returns providing details of those who bought electoral advertising with respect the 2012 election, by 17 December 2012. 13 returns were received.

All election returns were made public at the beginning of February 2013, and details from the returns can be viewed on the Elections ACT website.

Returns of gifts received of \$1000 or more

Where a registered party, non-party candidate or associated entity receives a gift of \$1000 or more, or a series of gifts that sum to \$1000 or more, from the same person in a financial year, the receiver must lodge a disclosure return with the Commissioner within a statutory time period from the date of the receipt of the gift that exceeds the threshold. During the period from 1 January until the end of polling day in an election year (from 1 July for the 2012 election), the disclosure must be made within 7 days of the receipt of the gift. At all other times the disclosure must be made within 30 days of its receipt. The Commissioner is required to publish the disclosure return as soon as practicable after it is lodged, and in practice this has been within a few days of lodgement.

Details of the disclosure of gifts received of \$1000 or more are available on the Elections ACT website.

Compliance with financial disclosure

With the introduction of broader requirements for financial disclosure in the campaign finance reforms of the *Electoral Amendment Act 2012*, the Commissioner has determined that a more frequent program of auditing should be implemented, particularly during periods surrounding ACT Legislative Assembly and federal elections. Previous audits have only been required of annual and election returns. Future audits will not only be of these returns but also of compliance with the reporting of gifts received of \$1000 or more.

During 2012/2013, the Commissioner engaged auditors to undertake audits of the 2011/2012 annual returns, the 2012 election returns and compliance with the requirement to disclose gifts received of \$1000 or more.

Informal audit of disclosure of gifts received of \$1000 or more – 1 July to 30 September 2012

To assist political parties to meet their obligations under the new campaign finance reforms, the Commissioner engaged auditors to undertake an informal audit of party compliance with the requirement to disclose gifts received of \$1000 or more during the period from 1 July to 30 September 2012. It was not compulsory for the parties to take part in this informal audit, but the Australian Labor Party (ACT Branch), the Liberal Party of Australia (A.C.T. Division), The ACT Greens and the Marion Lê Social Justice Party took up the offer. The Commissioner saw this as a valuable opportunity for the Commission and the parties to cooperate in, and reach a better understanding of, the implementation of the reforms.

Audit of 2011/2012 annual returns, 2012 election returns and disclosure of gifts received of \$1000 or more from 1 July to 31 December

In December 2012 the Commissioner engaged auditors to undertake an audit of compliance with the Electoral Act of the:

- ◇ 2011/2012 annual returns;
- ◇ 2012 election returns; and
- ◇ Disclosure of gifts received of \$1000 or more during the period from 1 July to 31 December 2012;

lodged by the 3 parliamentary parties: the Australian Labor Party (ACT Branch), the Liberal Party of Australia (A.C.T. Division) and The ACT Greens. The audit also included the annual returns of 2 associated entities: the Canberra Labor Club and the 1973 Foundation.

The draft audit report indicates that matters identified and requiring follow-up were not of a nature that would lead the Commissioner to consider further action, other than the correction of returns. The matters detected in the audit of returns related to minor items of omission, errors in addition and items in accounts requiring further information to determine whether they should, or should not, be included in the annual and election returns, and some cases of late disclosure of gifts received.

Audit of disclosure of gifts received of \$1000 or more from 1 January to 31 May 2013

In April 2013 the Commissioner engaged auditors to undertake an audit of compliance with the requirement to disclose gifts received of \$1000 or more during the period from 1 January 2013 to 31 May 2013. This audit was continuing at 30 June 2013.

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

Performance indicator summary

Objectives	Measures	Outcomes
Manage costs within budget allocations	Budget met	Expenditure was within budget.
Maintain high staff satisfaction	Performance management feedback	High staff satisfaction reported in 2012/2013.
Manage and improve ICT business systems	Absence of ICT business systems failures	No ICT business systems failures.

KEY RESULT AREA 3.1

HUMAN RESOURCES MANAGEMENT

Election staffing

For the 2012 election, Elections ACT supplemented its small team of ongoing staff by employing experienced casual staff in temporary positions to manage various processes in the lead-up to, through and following the election. Elections ACT also employed a number of casual staff to undertake a range of tasks throughout the election period, including staffing the many polling places on polling day.

Additional temporary staff commenced with Elections ACT in July 2012 and continued until the completion of the bulk of the election tasks in November. Key staff coming on board in July included the staffing manager, materials manager, media manager and early voting manager. These additional staff effectively come on board 2 ½ months before the official start of the election period in September.

Over 60 casual staff were employed in the Elections ACT central office during the election period. A total of 72 staff worked in pre-poll centres and on mobile polling teams. There were over 700 staff employed to work on polling day.

More detailed information on staffing arrangements for the election is included in the **Report on the ACT Legislative Assembly Election 2012**.

Continuous improvement

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

Permanent staff are encouraged to pursue secondments to other agencies to contribute to international, interstate and national electoral projects and to develop new skills through on-the-job training and external training courses. No interstate secondments occurred in 2012/13. However, staff attended various national workshops and conferences during the year, including an electoral research conference and workshops on emerging trends in information technology, future use of electronic devices for roll look-up/mark-off, and information and education strategies for people from culturally and linguistically diverse backgrounds.

During 2012/2013, Elections ACT staff had several opportunities to undertake a range of learning and development activities (see **Learning and development** on page 72). However, opportunities for undertaking development activities were limited by the workload pressures placed on staff in the first half of the reporting period during the conduct of the October ACT Legislative Assembly election.

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

During 2012/2013, Elections ACT staff held regular planning sessions focusing on the conduct of the 2012 Legislative Assembly election. After the election, a post-election conference focussed on lessons learned from the election.

All Elections ACT staff had a performance management plan for 2012/2013. The plans incorporated a formal review schedule, with one-on-one performance reviews.

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

Staff survey

For the first time, Elections ACT participated in the JACS staff survey in November/December 2012. When these surveys have been offered in the past, Elections ACT has not had a sufficient number of staff for results to be published at the organisational level, as more than 10 staff have been needed to participate in order to offer anonymity of responses. In 2012, 14 staff were offered the opportunity to participate, including all the key additional election project managers. Of these, 13 staff responded.

The survey results indicated a very high level of staff satisfaction. In particular:

- ◇ 90% of staff were ranked as “engaged”, indicating the organisation was typical of a “culture of success”;
- ◇ 100% of staff rated Elections ACT as a “truly great place to work”;
- ◇ 100% of staff agreed that “my manager consistently meets my most important expectations of him/her”;
- ◇ 92% of staff agreed that “things are getting better all the time” indicating that there was a strong sense of success and achievement;
- ◇ 100% of staff agreed that “my manager is a role model I look up to and learn from”; and
- ◇ 92% of staff were very optimistic about the organisation’s future.

The survey showed that Elections ACT had a strong culture that put into practice the values of respect, integrity, collaboration and innovation. It also showed that the workplace was effectively free of bullying and harassment.

KEY RESULT AREA 3.2

FINANCIAL MANAGEMENT

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

Expenditure on the 2012 election was comfortably within the budget allocation. The total operating result for Elections ACT for 2012/2013 was a surplus of \$0.091 million with a further \$0.387 million rolled into the 2013/2014 financial year to be spent on campaign finance reforms.

Analysis of the Commission's budget performance in 2012/2013 is included above under **Management discussion and analysis** on page 14.

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

See **Financial report** on page 15 for more information on the Commission's finances.

KEY RESULT AREA 3.3 RECORDS MANAGEMENT

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

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

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

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

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

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

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

Table 18 - Records disposal schedule

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

KEY RESULT AREA 3.4

INFORMATION/COMMUNICATION TECHNOLOGY MANAGEMENT

ICT applications

Since the conduct of the Commission's first election in 1995, Elections ACT has progressively introduced a range of information and communications technologies aimed at improving electoral services for the ACT community.

Preparations for the 2012 ACT election continued during the first half of the financial year leading up to the 20 October polling day, continuing the 4-year development and re-development of the Elections ACT ICT election systems, for which funding commenced in the 2009/2010 Budget. Work undertaken during the year on these systems included:

- ◇ Finalising, testing and implementing the upgrade of eVACs®, the electronic voting and counting system;
- ◇ Finalising the development, testing and implementing of eLAPPS, the integrated polling place management system, including electronic roll mark-off system, ballot paper reconciliation tool, polling place management functions and result transmission facility;
- ◇ Finalising, testing and implementing ERDS, a new Election Results Display System, including the tally room display;
- ◇ Upgrading, testing and implementing the ballot paper scanning system;
- ◇ Upgrading the Elections ACT in-house suite of election management databases;
- ◇ Developing, testing and implementing an online system for recruiting and payment data collection of polling officials;
- ◇ Developing, testing and implementing an online training system for polling officials;
- ◇ Redeveloping, testing and implementing the online system for applying for postal votes; and
- ◇ Sourcing hardware for the various electronic systems deployed at the 2012 election.

Elections ACT has led Australia in the adoption of many electoral ICT innovations, notably the electronic voting and counting system introduced at the 2001 election and the ballot paper scanning system introduced at the 2008 election. For the 2012 election, Elections ACT introduced the electronic Legislative Assembly Polling Place System (eLAPPS).

eLAPPS was developed as an Australian first, all-in-one polling management system. Functionality included electronic voter search and mark-off within polling places, incorporating the transmission of all roll marks across all eLAPPS units ACT wide, thereby minimising the possibility of multiple voting during the election. eLAPPS also included facilities allowing polling place Officers In Charge (OICs) to better manage their polling places, staff and incidents as well as automating the ballot paper reconciliation process. The eLAPPS network provided Elections ACT headquarters with a direct connection to each polling place, allowing instant, up-to-the-minute data and statistics. Access to such information allowed Elections ACT to alter methods for managing the election day processes, allowing for more efficient and instantaneous reaction and communications as issues arose. eLAPPS also connected directly with the Election Results Display System (ERDS) allowing for direct transmission of polling place results from the polling place to the Elections ACT results website. Implemented at all polling places in the ACT, eLAPPS was considered highly successful at the 2012 election.

Elections ACT also maintains a wide range of databases and other ICT applications, including TIGER, a suite of election management databases and netVote, an online voting system for ACT government Enterprise Agreement ballots.

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

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

A steering committee established in 2010 to oversee the ICT preparations for the 2012 ACT election, continued to provide support to the development and implementation of the ICT systems. The committee consisted of the Electoral Commissioner, the Deputy Electoral Commissioner, the Elections ACT ICT project managers, the JACS Deputy Director-General, Justice, and senior representatives from Shared Services ICT.

ICT resources

Shared Services ICT, the ACT Government information technology management agency, continued to provide ICT resources to Elections ACT in 2012/2013.

Internet

Elections ACT continued to maintain and update the Elections ACT website during 2012/2013. The Elections ACT website address is **www.elections.act.gov.au**.

Following a website security breach in March 2012, a decision was taken in June 2012 to migrate the Elections ACT website to a new service provider. The website was migrated to the new provider on 17 July 2012 and continues to be maintained on the new infrastructure.

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

For more detail on the Elections ACT website see **Information service** on page 26.

Triple bottom line report

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

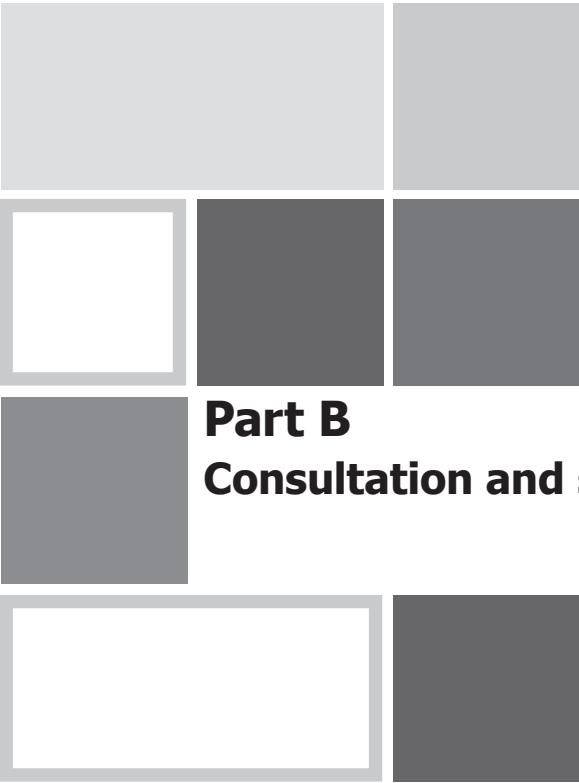
All ACT agencies are required to use the table format included below. Table 19 sets out performance in 2012/2013 and 2011/2012 for comparison. The table gives the percentage change in the 2012/2013 result relative to the 2011/2012 result.

The 2011/2012 data represents occupancy in the North Building for the full financial year; however, 2012/2013 is a combination of data collected from the Commission's occupancy at two separate locations. The Commission's office was located in the Emergency Services Authority (ESA) owned building in Rae Street, Belconnen, from July to December 2012. The Commission resumed its permanent office accommodation from January to July 2013.

The Commission notes that some of this data is calculated by taking usage data calculated for the whole of North Building and several Rae Street buildings respectively and dividing the results to estimate Elections ACT's share of each building's usage. The Commission considers that the elements of this table calculated in this way do not provide meaningful data on the actual usage experienced by Elections ACT.

Table 19 - Triple bottom line report

	INDICATOR	2011/2012 result	2012/2013 result	% Change
Economic	Employee expenses <ul style="list-style-type: none"> Number of staff employed (head count) 	6	7 (this does not include the 800 election casuals employed for the election period)	16.67%
	<ul style="list-style-type: none"> Total employee expenditure (\$,000) 	\$742	\$742	151.21%
	Operating Statement <ul style="list-style-type: none"> Total expenditure (\$,000) Total own source revenue (\$,000) Total net cost of services (\$,000) 	\$1,337 \$42 \$1,295	\$4,425 \$23 \$4,402	230.96% -45.23% 239.92%
	Economic Viability <ul style="list-style-type: none"> Total assets (\$,000) Total liabilities (\$,000) 	Elections ACT's assets and accomodation details are included in the JACS asset management strategy and are reported on in the JACS Annual Report.		
Environmental	Transport <ul style="list-style-type: none"> Total number of fleet vehicles Total transport fuel used (kilolitres) Total direct greenhouse emissions of the fleet (tonnes of CO₂e) 	0 0 0	2 1.863 4.77	n/a n/a n/a
	Energy Use <ul style="list-style-type: none"> Total office energy use (megajoules) Office energy use per FTE (megajoules/FTE) Office energy use per m² (megajoules/m²) 	298,198.00 49,699.10 1,864.00	366,650.00 52,378.57 714.72	22.95% 5.39% -61.69%
	Greenhouse Emissions <ul style="list-style-type: none"> Total office greenhouse emissions - direct and indirect (tonnes of CO₂e) Total office greenhouse emissions per FTE (tonnes of CO₂e/FTE) Total office greenhouse emissions per m² (tonnes of CO₂e/m²) 	31.57 5.26 0.20	108.53 15.50 0.21	243.77% 194.67% 5.0%
	Water Consumption <ul style="list-style-type: none"> Total water use (kilolitres) Office water use per FTE (kilolitres/FTE) Office water use per m² (kilolitres/m²) 	59.04 9.84 0.37	62.00 8.86 0.12	5.01% -9.95% -67.56%
	Resource Efficiency and Waste <ul style="list-style-type: none"> Estimate of co-mingled office waste per FTE (litres) Estimate of paper recycled (tonnes) Estimate of paper used (by reams) per FTE 	840 682 9.66	2571.42 2102.85 27	206.12% 208.33% 179.50%
Social	The Diversity of Our Workforce <ul style="list-style-type: none"> Women (as a percentage of the total workforce) People with a disability (as a percentage of the total workforce) Aboriginal and Torres Strait Islander people (as a percentage of the total workforce) Staff with English as a second language (as a percentage of the total workforce) 	50.0% 0% 0% 16.7%	57.14% 0% 0% 14.28%	14.28% 0.0% 0.0% -14.33%
	Staff Health and Wellbeing <ul style="list-style-type: none"> WHS Incident Reports Accepted claims for compensation (as at 31 August 2012) Staff receiving influenza vaccinations Workstation assessments requested 	0 0 2 0	0 0 0 0	0.0% 0.0% -100.0% 0.0%



Part B
Consultation and scrutiny reporting

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Community engagement

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

An ACT Legislative Assembly election can be taken to be a community consultation process. At the 2012 Assembly election, Elections ACT facilitated the process whereby over 229,000 ACT citizens chose their elected representatives in the Assembly.

In conducting the Assembly election, considerable emphasis was placed on informing electors, candidates and political parties about participation in the election process. A summary of the election education campaign is included under **Community education campaign for the 2012 election** at page 19. A more detailed description of the campaign is in the Commission's **Report on the ACT Legislative Assembly election 2012**.

As part of the 2012 election community information campaign, the Commission engaged in the use of social media, including Facebook, Twitter and YouTube accounts. This facilitated a more personal and direct two-way communication channel between the Commission and electors.

During the 2012 election, Elections ACT provided detailed briefings to candidates and political parties as well as comprehensive information packs. After the election, candidates were invited to complete a survey indicating their level of satisfaction with the service they received. Unfortunately only 5 candidates responded to this survey. The Commission did not consider this response to be a representative sample and so considered it inappropriate to report on the results of this survey.

The electoral boundaries redistribution process undertaken in the lead-up to every ACT Legislative Assembly election is also a significant community consultation activity carried out by the Commission. The most recent redistribution of electorate boundaries concluded in October 2011. The next redistribution of boundaries is expected to commence in late 2014.

Applications to register a political party or to change the register of political parties must be publicly notified, and members of the public have the right to object to such applications. This process is discussed under **Party registration** on page 41.

The Commission also engages with the community through its electoral education program, which targets both school groups and community groups. For more information see **Electoral education program** on page 38.

Elections ACT relies heavily on its ICT systems in the conduct of elections and for managing its day to day business. In developing and refining its systems, Elections ACT consults with stakeholders through its Electronic Election Systems Reference Group (formerly the Electronic Voting and Counting System Reference Group). This group consists of representatives of political parties, MLAs and other special interest groups. The reference group was convened early in the 2012/2013 year to provide a briefing on progress towards, and to seek final feedback from the group, on the redevelopment of its ICT systems for the 20 October 2012 election.

Internal and external scrutiny

The Commission was not subject to significant internal or external scrutiny in 2012/2013, other than the standard procedures that applied during the 2012 election. During an election the Commission is subject to close scrutiny from the media, the public, candidates and political parties. In particular, the conduct of the polling and the various counts of ballot papers are subject to close scrutiny by scrutineers representing candidates, who may challenge the interpretation of preferences and the admissibility of votes.

Legislative Assembly Committee inquiries and reports

The Commission was not involved with any specific electoral-related ACT Legislative Assembly Committee inquiries in 2012/2013.

However, in December 2012 the Electoral Commissioner was appointed by the Chief Minister to chair an Expert Reference Group tasked with the conduct of a review into the size of the Assembly. The group presented its report to the Chief Minister on 28 March 2013, and the Chief Minister made the report public on 16 April 2013. A copy of the report can be viewed on the Elections ACT website at www.elections.act.gov.au.

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

- ◇ The Standing Committee on Justice and Community Safety in relation to the Commission's 2011/2012 annual report; and
- ◇ The Select Committee on Estimates 2013/2014.

The Select Committee on Estimates 2012/2013 reported in August 2012. The report made no comments or recommendations with respect to the Commission.

The Standing Committee on Justice and Community Safety presented its report number 1 titled *Report on Annual and Financial Reports 2011-2012* in May 2013. The report discussed the resources and independence of statutory officers with primary responsibility for rights in the ACT, including the Electoral Commission. The report made 1 recommendation that involves the Commission:

The committee recommends that the ACT Government consider arranging matters so that independent statutory authorities with primarily responsibility for rights in the ACT would be grouped together in one secretariat or administrative unit.

The Select Committee on Estimates 2013/2014 had not reported at 30 June 2013.

Legislation report

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

- ◇ *Electoral Act 1992*;
- ◇ *Electoral Regulation 1993*;
- ◇ *Referendum (Machinery Provisions) Act 1994*;
- ◇ *Proportional Representation (Hare-Clark) Entrenchment Act 1994*;
- ◇ *Aboriginal and Torres Strait Islander Elected Body Act 2008*; and
- ◇ *Health Professionals Regulation 2004* [for the Veterinary Surgeons Board only].

The Commission's role in providing advice on amendments to the electoral legislation is discussed above at **Electoral legislation** on page 28.



Part C

Legislative and policy based reporting

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Risk management & internal audit

Risk management

The Commission monitored and refined its risk assessment and mitigation plan during 2012/2013. This plan includes risk assessment and mitigation strategies for the following classes of risks:

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

Elections ACT also updated the Elections ACT Business Continuity Plan in 2012/2013.

Under the direction of the Electoral Commissioner, Elections ACT undertakes risk management assessments for all its major projects and contracts. The Commission takes a strategic interest in these assessments where they bear on its statutory duties. During the reporting period the Commission and Elections ACT continued the task of assessing risks as part of the preparation of business requirements and specifications for the development or re-development of its ICT election systems, and with respect to its preparations for and conduct of the October 2012 ACT election.

Internal audit

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

Under the JACS internal audit arrangements an audit of the Commission's record management procedures commenced in 2012. The report of this audit was finalised in January 2013. The report stated that the Commission has established a sound record management framework that meets current record management requirements and better practice as well as ensuring the effective management of records. The report also indicated the Commission demonstrated a high level of compliance and control regarding disposal of records.

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

Fraud prevention

Prevention strategies

This is a matter for which the Electoral Commissioner is responsible. Elections ACT employed the following fraud prevention strategies in 2012/2013:

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

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

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

Detection strategies

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

There were no reports or allegations of fraud or corruption received in 2012/2013.

Public interest disclosure

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

During 2012/2013 no public interest disclosures related to the Commission were lodged.

Freedom of information

Section 7 statement

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

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

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

Establishment and powers

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

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

Arrangements for external participation

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

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

Documents

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

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

The following documents are available for inspection and purchase:

- ◇ The register of political parties;
- ◇ Annual returns of donations, expenditure and debts submitted by political parties, MLAs, associated entities and donors;
- ◇ Election returns of donations and expenditure submitted by political parties, candidates, broadcasters and publishers, donors and other political participants; and
- ◇ Returns of donations received of \$1000 or more.

The documents listed under **Publications** on page 26 are provided free of charge (except for electronic voting data on CD-ROM; however this data is available for free download from the Elections ACT website).

Facilities for access

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

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

Section 8 Statement

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

Section 79 Statement

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

The Commission did not receive any FOI requests in 2012/2013, nor were any FOI matters outstanding at 1 July 2012.

Contact officer

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

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

Telephone: (02) 6205 0033

Fax: (02) 6205 0382

Or write to:

PO Box 272, Civic Square ACT 2608

Or email:

elections@act.gov.au

Website:

www.elections.act.gov.au

Internal accountability

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

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

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

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

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

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

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

The Commission's management structure is described under **Organisational Structure** on page 4. Details of the Commission's corporate and operational plans can be found at **Elections ACT Corporate Plan 2013-2017** on page 6. Details of the Commission's performance reporting arrangements can be found at **Performance indicators** at page 7.

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

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

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

Human resources performance

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

See **Human Resources Management** on page 50 for further information.

Staffing profile

The following tables set out details of permanent staff employed during 2012/2013, including the Electoral Commissioner. As required by the annual report directions, the figures presented are as at pay 26, 20 June 2013. The tables do not include the 2 part-time Commission Members or the casual staff (over 800 people) employed during the year to assist with the conduct of the 2012 ACT Legislative Assembly and other elections.

Table 20 - FTE & headcount

FTE & headcount	Female	Male
FTE by gender	3.6	2.8
Headcount by gender	4	3
% of workforce (headcount)	57.1%	42.9%

Table 21 - Classification group by gender

Classification group	Female	Male	Total
Administrative officers	3	0	3
Senior officers	1	1	2
Statutory Office Holders ¹	0	2	2
Total	4	3	7

Note 1: The Deputy Electoral Commissioner was acting Commissioner while the Commissioner was on Annual Leave as at Pay 26, 2012/2013.

Table 22 - Employment category by gender

Employment category	Female	Male	Total
Casual	0	0	0
Permanent full-time	3	2	5
Permanent part-time	1	0	1
Temporary full-time ¹	0	1	1
Temporary part-time	0	0	0
Total	4	3	7

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

Table 23 - Average length of service by gender by age-group

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

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

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

Table 24 - Total average length of service by gender

Gender	Average length of service
Female	11.8 years
Male	15.1 years
Total	13.2 years

Table 25 - Age profile

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

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

Table 26 - Agency profile

Agency	FTE	Headcount
ACT Electoral Commission	6.4	7
Total	6.4	7

Table 27 - Agency profile by employment type

Agency	Permanent	Temporary	Casual
ACT Electoral Commission	6	1	0
Total	6	1	0

Table 28 - Equity and workplace diversity

	A	B	C		
	Aboriginal and/or Torres Strait Islander Employmente	Culturally & Linguistically Diverse (CALD) employment	Employment of people with a disability	Number of employees who identify in any of the equity & diversity categories (A, B, C)	Women
Headcount	0	1	0	1	4
% of total staff	0.0%	14.3%	0%	14.3%	57.1%

Learning and development

During 2012/2013, Elections ACT permanent staff participated in learning and development activities, including attending various courses and seminars. To facilitate Elections ACT's learning and development strategy, each staff member is allocated an average of \$1,000 in the Commission's budget each year.

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

Learning and development opportunities undertaken in 2012/2013 are shown in Table 29.

Table 29 - Elections ACT learning and development activities

Initiative	Details (No. of participants who attended each program)
Creating accessible PDFs	1
First aid training	1
Fraud and ethics awareness training	1
Publishing package training	1
Social media for businesses training	1
Studies assistance	1
The new supervisor training	1

Workplace health and safety

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

Elections ACT has two fire wardens and a designated first aid officer.

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

WHS initiatives undertaken during the 2012/2013 period were:

- ◇ Provision of first aid kits to every polling place during the 2012 Election;
- ◇ Workplace safety inspections;
- ◇ Completion of a risk register for the workplace; and
- ◇ Completion of a risk register for polling places.

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

Workplace relations

Enterprise agreements

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

Australian Workplace Agreements

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

Special Employment Arrangements

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

Human Rights Act 2004

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

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

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

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

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

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

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

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

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

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

Strategic asset management

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

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

Capital works

The Commission did not undertake any capital works projects in 2012/2013.

Government contracting

Procurement principles and processes

The processes used to select and manage all contractors during 2012/2013 complied with the *Government Procurement Act 2001* and the *Government Procurement Regulation 2007*.

External sources of labour and services

In 2012/2013, the Commission engaged the contractors listed in Table 30 to provide services that exceeded \$20,000. These services are related to the Commission's ICT election systems. The procurement process for these contracts has been reviewed by ACT Procurement Solutions as required.

Table 30 - External sources of labour and services 2012/2013

Name of contractor	Description of contract	Date contract let	Expenditure in the financial year	Procurement type
Software Improvements Pty Ltd	EVACS enhancements	16/11/2010	\$5,000.00	Single Select
F1 Solutions Pty Ltd	Electronic Legislative Assembly Polling Place System	16/02/2011	\$61,533.16	Standing offer arrangements
Crystal Approach Pty Ltd	Election Results and Display System	05/08/2011	\$21,577.51	Standing offer arrangements
SEMA Group Pty Ltd	ACT Elections ballot paper scanning	7/10/2011	\$171,153.13	Select
Donald Francis O'Connor	Provision of TIGER redevelopment	11/11/2011	\$6,544.49	Single Select
Cre8ive Australasia Pty Ltd	Online interactive training package development	31/01/2012	\$25,542.00	Select
F1 Solutions Pty Ltd	ICT Business System hosting	17/05/2012	\$32,189.83	Standing offer arrangements
Donald Francis O'Connor	Provision of TIGER redevelopment	20/03/2013	\$27,038.72	Single Select

Community grants/assistance/sponsorship

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

Territory records

A description of the Commission's compliance with the Territory Records Act is set out at **Key result area 3.3 – Records management** on page 53.

Commissioner for the Environment

The Commission did not contribute to the *State of the Environment Report* in 2012/2013. The Commission has not been the subject of an investigation or recommendations made by the Commissioner for the Environment.

Ecologically sustainable development

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

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

- ◇ Power to computers, printers, photocopier and lights is turned off or placed on stand-by every night;
- ◇ Movement activated lights turn lights off when rooms are not used;
- ◇ Recyclable consumables are used when available and recycled paper is used for normal office work and for publications where appropriate;
- ◇ Office waste paper and toner is recycled;
- ◇ Office staff waste plastics and paper products are recycled and organic waste is composted;
- ◇ Election material is reused or recycled where possible— for example, in November 2012, 1116 plastic folders were sent to Koomari Belconnen recycling centre, where both the metal rings and plastic covers were recycled.

Elections ACT attained ACTSmart *Office* accreditation in 2011/2012 to facilitate and implement a more efficient recycling and waste management program. In 2012/2013 Elections ACT passed the audit for reaccreditation as an ACTSmart *Office*.

In aligning with the Government's commitments to waste minimisation, greenhouse emission reductions, water efficiency and transport efficiency, agencies are required to provide relevant data on their resource use. Table 23 outlines data extracted with respect to the Commission's occupancy. The 2011/2012 data represents occupancy in the North Building for the full financial year; however, 2012/2013 is a combination of data collected from the Commission's occupancy at two separate locations. The Commission's office was located in an Emergency Services Authority (ESA) owned building in Rae Street, Belconnen, from July to December 2012. The Commission resumed its permanent office accommodation in North Building from January to July 2013.

The Commission notes that some of this data is calculated by taking usage data calculated for the whole of North Building and several ESA Rae Street buildings respectively and dividing the results to estimate Elections ACT's share of each building's usage. The Commission considers that the elements of this table calculated in this way do not provide meaningful data on the actual usage experienced by Elections ACT.

Table 31 - Ecologically sustainable development data

Line	Indicator as at 30 June	Unit	2011/2012	2012/2013
	General		Office/Total	Office/Total
L1	Occupancy – staff full-time equivalent ¹	Number (FTE)	6	7
L2	Area office space – net lettable area ²	Square metres	160	513
	Stationary energy		Office/Total	Office/Total
L3	Electricity use ³	Kilowatt hours	31,708	101,846.67
L4	Renewable energy use (GreenPower + EDL land fill gases)	Kilowatt hours	13,396	See Note 4.
L5	Percentage of renewable energy used (L4/L3 x 100)	Percentage	42.25	
L6	Natural Gas use ⁵	Megajoules	184,051	N/A
L7*	Total energy use ¹⁰	Megajoules	298,198	366,650
L8	Energy intensity per FTE (L7/L1)	Megajoules/FTE	49,699	52,378.57
L9	Energy intensity per square metre (L7/L2)	Megajoules/m ²	1,864	714.72
	Transport		Office/Total	Office/Total
L10	Total number of vehicles ⁷	Numeric	0	2
L11	Total vehicle kilometres travelled	Kilometres (km)	0	17,581
L12	Transport fuel (Petrol)	Kilolitres	0	1.863
L13	Transport fuel (Diesel)	Kilolitres	0	N/A
L14	Transport fuel (LPG)	Kilolitres	0	N/A
L15	Transport fuel (CNG)	Kilolitres	0	N/A
L16*	Total transport energy use ¹⁰	Gigajoules	0	63.71
	Water		Office/Total	Office/Total
L17	Water use ⁶	Kilolitres	59.04	62
	Intensities			
L18	Water use per FTE (L17/L1)	Kilolitres/FTE	9.84	8.86
L19	Water use per square metre (L17/L2)	Kilolitres/m ²	0.37	0.39
	Resource efficiency and waste		Office/Total	Office/Total
L20	Reams of paper purchased	Reams	58	189
L21	Recycled content of paper purchased	Percentage	100%	90%
L22	Estimate of general waste (based on bins collected) ⁸	Litres	584	18,000 Based on Rae Street Only
L23	Estimate of commingled material recycled (based on bins collected)	Litres	840	5280
L24	Estimate of paper recycled (based on bins collected) ⁹	Litres	682	14,720
L25	Estimate of organic material recycled (based on bins collected)	Litres	35	564
L25	Estimate of organic material recycled (based on bins collected)	Litres	35	564
	Greenhouse gas emissions		Office/Total	Office/Total
L26*	Total stationary energy greenhouse gas emissions (All scopes) ¹⁰	Tonnes CO ² -e	31.57	108.53
L27*	Total transport greenhouse gas emissions (All scopes) ¹⁰	Tonnes CO ² -e	N/A	4.77
	Intensities			
L28	Greenhouse gas emissions per person (L26/L1)	Tonnes CO ² -e FTE	5.26	15.50
L29	Greenhouse gas emissions per square metre (L26/L2)	Tonnes CO ² -e	0.20	0.21
L30	Transport greenhouse gas emissions per person (L27/L1)	Tonnes CO ² -e FTE	N/A	0.68

Note 1: As required by the annual report directions, the staffing figures presented are as at pay 26, 20 June 2013. This table does not include the 2 part-time Commission Members or the casual staff (over 800 people) employed during the year to assist with the conduct of the 2012 ACT Legislative Assembly and other elections.

Note 2: The Commission occupied 58% (866m²) of Rae Street, Belconnen between July 2012 and December 2012. The Commission occupied 2.08% (160m²) of the North Building between January and June 2013. 866m² was added to 160m² and then divided by 2 to calculate the total office space.

Note 3: The electricity was calculated as a percentage of the total North Building usage as well as a percentage of the total Rae Street usage. Both totals were then added together to calculate the total consumption of electricity for 2012/2013.

Note 4: Greenpower – with the ACT Government's decision to reduce the renewable energy commitment to 5% and the decision to separate this from electricity supply arrangements, this will not be reported on a site by site basis. ACT Property Group will report the purchase on behalf of the ACT Government in the TAMS Annual Report.

Note 5: The ACT Property Group were unable to provide the gas consumption figures for the North Building for 2012/2013. Gas consumption data was not available from Rae Street, Belconnen.

Note 6: The water consumption is based on water use from the North Building only. Water consumption data was not available from Rae Street, Belconnen.

Note 7: The Commission hired two vehicles during the election period in 2012.

Note 8: The estimate of general waste is based on waste generated at Rae Street, Belconnen only. This is based on a 1.50 m³ bin being serviced a total of 12 times. This is a total of 18 cubic metres of general waste. The ACT Property Group were unable to provide the general waste figures for the North Building for 2012/2013.

Note 9: RECALL secure destruction services provide the paper recycling figures in a sustainability report, however, they are unable to provide the figures in Litre units, and therefore the figures provided are in tonnes, which are then converted to litres.

Note 10: All items with an asterix are calculated using the Australian Government Department of Climate Change 'Online System for Comprehensive Activity Reporting' (OSCAR) for tracking energy and greenhouse data.

Aboriginal and Torres Strait Islander reporting

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

The first election for the Elected Body was conducted by Elections ACT in May-July 2008 and the second in April-May 2011.

In 2012/2013 the Commission filled 2 casual vacancies on the Aboriginal and Torres Strait Islander Elected Body. The casual vacancies resulted from the resignations from the Elected Body of Mr William Hodges in September 2012 and Mr John Paul Janke in March 2013. The vacancies were filled by Mr Maurice Walker and Mr Masepah Banu, respectively.

Elections are conducted in consultation with the Office of Aboriginal and Torres Strait Islander Affairs.

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

The next election is due to commence in May 2014, with polling in July.

ACT multicultural strategy

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

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

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

The Commission received a Media Award for its 2012 election media campaign under the ACT Multicultural Awards program, in acknowledgement of its outstanding commitment and contributions to multiculturalism in the ACT.

The Commission's progress against the ACT Multicultural Strategy is shown in Table 32:

Table 32 - Multicultural strategy

Focus area	Progress
Languages	<p>General electoral information factsheet translated into 12 languages and published on website.</p> <p>Website accessibility allows for large format and text descriptions.</p> <p>Key electoral publications are made available on request in alternative formats including large print and audio.</p> <p>Telephone Interpreter Service information is printed on the Commission's major publications.</p> <p>Printed electoral information is provided at Legislative Assembly election times in eleven languages other than English and disseminated through in the ACT Multicultural e-News Bulletin published by the Office of Multicultural Affairs and some community language radio stations.</p> <p>Instructions for electronic voting in Legislative Assembly elections are available in eleven other languages as well as English.</p> <p>Bilingual educators are employed at election time to provide information to CALD community groups in their first language.</p>
Children & Young People	N/A
Older People & Aged Care	N/A
Women	Elections ACT aims to conduct elections in which women are free to participate as electors and as candidates.
Refugees, Asylum Seekers and Humanitarian Entrants	N/A
Intercultural Harmony and Religious Acceptance	All permanent staff and those casual staff employed for the Aboriginal and Torres Strait Islander Elected Body Election attended Indigenous Cross Cultural training prior to the 2011 Elected Body election.

ACT strategic plan for positive aging 2010-2014

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

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

The Commission's progress against the ACT Strategic Plan for Positive Aging is shown in Table 33:

Table 33 - Positive aging

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

ACT women's plan

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

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

Elections ACT aims to conduct elections in which women are free to participate as electors and as candidates. At the 2012 election, 24 candidates were women and 50 candidates were men. Of the 17 elected Members of the Assembly, 6 were women. Following the filling of the casual vacancy, resulting from the resignation of Mr Zed Seselja as a Member of the Legislative Assembly, by Ms Nicole Lawder, there are 7 Members who are women. At 30 June 2013, there were 261,497 electors on the electoral roll aged 18 and over; 134,719 were women (estimated to be 97.6% of the eligible population) and 126,778 were men (estimated to be 94.3% of the eligible population).

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

Model litigant guidelines

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

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

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

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

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

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