



Australian Government

Australian Government response to the
Joint Standing Committee on Electoral Matters report:

*Report on the conduct of the 2016 federal election and matters related
thereto*

MAY 2024

Introduction

On 5 December 2018, the Joint Standing Committee on Electoral Matters (JSCEM) tabled a report titled *Report on the conduct of the 2016 federal election and matters related thereto*.

The Government's response to the recommendations of the Report follows below.

Government Response to the Joint Standing Committee on Electoral Matters report: Report on the conduct of the 2016 federal election and matters related thereto

#	Recommendation	Government Response
1	<p>The Committee recommends that the Australian Government commission a technical report on the most appropriate count and surplus transfer methodology for Senate elections.</p> <p>This technical report should consider the need for a progressively reducing quota.</p>	<p><u>Noted</u></p> <p>The Government notes the recommendation. Given the passage of time, a substantive government response is no longer appropriate.</p>
2	<p>The Committee recommends that Central Senate Scrutiny Centre data entry operators be considered ‘officers engaged in counting’ for the purposes of section 264 of the <i>Commonwealth Electoral Act 1918</i>.</p>	<p>Refer to recommendation 1.</p>
3	<p>The Committee recommends that a non-partisan independent expert scrutineer be appointed to each Central Senate Scrutiny Centre in each state and territory and be responsible for:</p> <ul style="list-style-type: none"> • auditing the computer systems and processes used to capture and count votes; • undertaking randomised checks between captured data and physical ballot papers throughout the count at a 	<p>Refer to recommendation 1.</p>

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	<p>level that provides surety as to the accuracy of the system; and</p> <ul style="list-style-type: none"> • providing reports to candidate scrutineers about their findings on a regular basis during the count. 	
4	<p>The Committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to:</p> <ul style="list-style-type: none"> • increase party membership requirement to a minimum 1,000 unique members who are not relied upon for any other party in order for a federally registered party to field candidates in a federal election; and • require that parliamentary parties not be exempt from party registration requirements by virtue of their Parliamentary representation. 	Refer to recommendation 1.
5	<p>The Committee recommends that all political parties be required to meet the new party registration criteria within three months of the legislation being enacted or the party shall be automatically deregistered.</p>	Refer to recommendation 1.
6	<p>The Committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to allow for online enrolment in all enrolment circumstances, provided that an appropriate digital identity verification process is in place.</p>	Refer to recommendation 1.

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7	The Committee recommends that the issue of electoral roll divergence between the Commonwealth, state and territory electoral rolls be raised as a matter of priority at the next Council of Australian Governments meeting to harmonise electoral rolls nationally.	Refer to recommendation 1.
8	The Committee recommends that the Australian Electoral Commission research into the causes of low voter turnout and develop initiatives aimed at improving voter turnout in divisions that have had consistently low turnout over recent elections.	Refer to recommendation 1.
9	The Committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to permit, for House votes, a simple ordered sequence of preferences to be considered formal to the extent that that sequence allocates preferences to candidates. This sequence must still allocate a first preference for the vote to be formal and meet the other existing formality rules in section 268 of the Act.	Refer to recommendation 1.
10	The Committee recommends that the Australian Government review the penalty for non-voting.	Refer to recommendation 1.
11	The Committee recommends that the Australian Government permanently maintain current requirements that schools visit	Refer to recommendation 1.

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	the Parliament House, the Old Parliament House and the Australian War Memorial to be eligible for PACER funding.	
12	<p>The Committee recommends that the <i>Commonwealth Electoral Act 1918</i> and the <i>Referendum (Machinery Provisions) Act 1984</i> be amended to require that:</p> <ul style="list-style-type: none"> • voters must present a form of acceptable identification to be issued with an ordinary pre-poll or election day vote. Authorised identification must be suitably broad so as to not actively prevent electors from casting an ordinary ballot. Examples of acceptable identification would include: • photographic ID such as a drivers licence, passport, or proof of age card; • government-issued identification card, such as a Medicare card, senior’s card of concession card; • proof of address, such as an account from a utilities provider, taxation notice of assessment or Australian Electoral Commission issued voter registration letter; or • alternatively, a ‘voter ID’ card be introduced and issued to all voters. • where voters cannot provide acceptable identification they must be issued with a declaration vote <p>The Committee further recommends that, in order to make this change as easy as possible, the national rollout of Electronic Certified Lists be fully funded (see Recommendation 25).</p>	Refer to recommendation 1.

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13	The Committee recommends that the Australian Government consult with Indigenous communities and stakeholders to devise culturally appropriate enrolment requirements for Indigenous voters with a view to increase Indigenous engagement with the electoral process.	Refer to recommendation 1.
14	The Committee recommends that the Australian Electoral Commission, when selecting polling places, consider the need to physically accommodate all political party booth workers, thereby ensuring there is no restriction on the ability of workers to distribute How to Vote material.	Refer to recommendation 1.
15	The Committee recommends that the Australian Electoral Commission consider revising information provided for voters to give greater clarity concerning the meaning of ‘assisted access’/‘partial access’.	Refer to recommendation 1.
16	The Committee recommends that the Australian Electoral Commission considers the feasibility of offering express-lane queuing options for disabled, pregnant and elderly voters, or, otherwise the provision of seating options for those needing to sit down while queued.	Refer to recommendation 1.
17	The Committee recommends that the Australian Electoral Commission consider providing election-related material in easy-to-read and easy-English formats.	Refer to recommendation 1.

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18	The Committee recommends that the <i>Commonwealth Electoral Act 1918</i> be amended to restrict pre-poll voting to no more than two weeks prior to the date fixed by the writs for election day.	Refer to recommendation 1.
19	The Committee recommends that the Australian Electoral Commission consider revising its postal voter material to ensure greater clarity on who can act as an authorised witness and the role of an authorised witness.	Refer to recommendation 1.
20	The Committee recommends that the Australia Electoral Commission work with disability advocates to better inform eligible disabled electors of the General Postal Voter application process.	Refer to recommendation 1.
21	The Committee recommends that the Australian Electoral Commission continues to work closely with its external contractors to ensure the integrity of logistics processes for the transmission of votes back to Australia.	Refer to recommendation 1.
22	The Committee notes the importance of Australian Defence Force personnel being able to vote in a timely and efficient manner, and recommends that the Australian Electoral Commission ensures that postal votes for Australian Defence Force personnel are dispatched at the earliest possible time to	Refer to recommendation 1.

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	allow the ADF time to forward those to its personnel for completion and return to Australia.	
23	The Committee recommends that the Australian Electoral Commission strengthen and improve co-operation with the management of the facilities their mobile polling teams visit to ensure that all electors have the opportunity to vote.	Refer to recommendation 1.
24	The Committee recommends that the Australian Government investigate the feasibility of extending the NSW iVote system to blind- and low-vision voters only in federal elections.	Refer to recommendation 1.
25	The Committee recommends that a national rollout of Electronic Certified Lists and/or 'ECL Lite' be fully funded and implemented prior to the 2019 federal election.	Refer to recommendation 1.
26	The Committee recommends that the Australian Government refer the issue of tax deductibility thresholds for donations to political parties and the tax concessions available to political parties to the House of Representatives Standing Committee on Tax and Revenue for detailed consideration.	Refer to recommendation 1.
27	The Committee recommends to the Australian Government that all future inquiries into issues concerning 'fake news', instead use the term 'disinformation'.	Refer to recommendation 1.

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28	The Committee recommends that the Australian Government establish a permanent taskforce to prevent and combat cyber manipulation in Australia’s democratic process and to provide transparent, post-election findings regarding any pertinent incidents. The taskforce is to focus on systemic privacy breaches.	Refer to recommendation 1.
29	The Committee recommends that the Australian Government bring greater clarity to the legal framework surrounding social media services and their designation as ‘platform’ or ‘publisher’.	Refer to recommendation 1.
30	The Committee recommends that the Australian Government consider ways in which media literacy can be enhanced through education programs that teach students not only how to create media, but also how to critically analyse it.	Refer to recommendation 1.
31	The Committee recommends that the Australian Electoral Commission examine ways in which media literacy can be incorporated into a modern, relevant civics education program.	Refer to recommendation 1.

The Government notes that there are no dissenting recommendations.