



Inquiry into Annual and Financial Reports 2023–24

Answer to question taken on notice

Asked by: Mr Ed Cocks MLA

Addressed to: Mr Damian Cantwell AM CSC

In relation to: Definition of electoral material

Hearing: 19 February 2025

Uncorrected Proof Transcript pp 5-6

Transcript provided: 21 February 2025

Answer Due: 28 February 2025

Mr Damian Cantwell took on notice the following question(s):

THE CHAIR: I have got a quick supplementary. Because you have mentioned the engagement with MLA officers, with political parties and staff around specific pieces of advice and I would say all officers are very grateful for the responsiveness we get there. I am interested. Can you tell me how many times in 2024 the office was approached for advice regarding electoral material?

Mr Cantwell: How many times?

THE CHAIR: Yes, so on how many occasions?

Mr Cantwell: Look, I cannot give you a specific number. I would say it increased in frequency as, of course, the election approached, when this became clearly more topical. There are some MLAs who perhaps demonstrate a very keen willingness to reach out and engage, or have instructed their staff to do so. That comes over the top of our forward leaning in this space, whereby we give a series of presentations that are streamed, indeed, to the broader public, to anyone who wish to come along to them. We did two or three of those late last year ahead of the election.

THE CHAIR: No, that is all right. So where I am heading is, I am keen to find out whether there is much of an overlap in the questions that you are getting. So perhaps you could take on notice that the number of times that you were approached and

Mr Cantwell: Okay. To do with electoral expenditure or—

THE CHAIR: In regards to electoral material.

Mr Cantwell: Electoral material, okay. Yes. Whether it be an electoral matter or not, is that what you—

THE CHAIR: Yes. That is one of the key things, but if you could take it relatively broadly, and if you are able to provide a bit of a breakdown or an indication as to whether there are particular overlapping themes or different people asking the same question?

Mr Cantwell: Yes, we can look at the numbers and I am sure we can gather some data there and summarise the sort of observations. Yes. Happy to take it on notice.

Mr Damian Cantwell AM CSC: The answer to the Member's question is as follows:

In 2024, Elections ACT received 40 requests for advice regarding electoral matter. Of these, 37 requests sought a determination from Elections ACT on whether specific materials were considered electoral matter. The remaining three inquiries pertained to questions related to the broader definition of electoral matter.

Additionally, Elections ACT received 12 questions related to electoral expenditure. Four of these questions asked whether a particular payment or activity could be considered as incurring electoral expenditure, while five sought clarity on the expenditure cap for expenses incurred by a candidate representing a party.

Approved for circulation to the Standing Committee on the Integrity Commission and Statutory Office Holders



Signature:

Date: 27 February 2025

By the ACT Electoral Commissioner, Mr Damian Cantwell AM CSC