



**Legislative Assembly for the  
Australian Capital Territory**

Standing Committee on the Integrity  
Commission and Statutory Office Holders

# **Inquiry into the operation of the 2024 ACT Election and *Electoral Act 1992* – Final report**

Legislative Assembly for the Australian Capital Territory  
Standing Committee on the Integrity Commission and Statutory Office Holders

---

Approved for publication

---

Report 8  
11th Assembly  
June 2026



# About the committee

## Establishing resolution

The Assembly established the Standing Committee on the Integrity Commission and Statutory Office Holders on 3 December 2024.

The Committee is responsible for the following areas:

- ACT Auditor-General
- ACT Ombudsman
- Office of the Legislative Assembly
- ACT Electoral Commission
- ACT Integrity Commission
- Electoral policy

You can read the full establishing resolution [on our website](#).

## Committee members

Mr Ed Cocks MLA, Chair (from 12 February 2025)

Mr Andrew Braddock MLA, Deputy Chair

Mr Taimus Werner-Gibbings MLA

Ms Elizabeth Lee MLA, Chair (until 12 February 2025)

## Secretariat

James Bunce, Committee Secretary

Ms Kathleen de Kleuver, Committee Secretary (until 17 April 2026)

Ms Kate Mickelson, Assistant Secretary (from 31 January 2025)

Mr Adam Walker, Assistant Secretary (from 31 January 2025)

Mr Satyen Sharma, Administrative Officer

## Contact us

**Mail** Standing Committee on the Integrity Commission and Statutory Office Holders  
Legislative Assembly for the Australian Capital Territory  
GPO Box 1020  
CANBERRA ACT 2601

**Phone** (02) 6207 0524

**Email** [LACommitteeIntegrity@parliament.act.gov.au](mailto:LACommitteeIntegrity@parliament.act.gov.au)

**Website** [parliament.act.gov.au/parliamentary-business/in-committees](http://parliament.act.gov.au/parliamentary-business/in-committees)

## About this inquiry

At its meeting on 4 December 2024 the Assembly passed the following resolution:<sup>1</sup>

That the Standing Committee on the Integrity Commission and Statutory Office Holders inquire into the operation of the 2024 ACT Election and the Electoral Act 1992, and other relevant legislation and policies concerning election-related matters, with particular reference to:

- (1) the report of the ACT Electoral Commissioner into the 2024 ACT Election;
- (2) voter engagement, including:
  - (a) the timeframe and accessibility of early voting;
  - (b) the number and location of ordinary polling places;
  - (c) the sufficiency of access to mobile voting places;
  - (d) increasing voter turnout and participation in elections and encouraging political activity; and
  - (e) expanding voter franchise;
- (3) the voting process, including:
  - (a) the implementation, security and transparency of electronic voting;
  - (b) vote exhaustion rates; and
  - (c) voting instructions, as provided by the ACT Electoral Commissioner;
- (4) political electoral activity, including:
  - (a) rules for the authorisation and regulation of electoral matter on digital platforms;
  - (b) restrictions on roadside signage;
  - (c) the operation of truth in political advertising provisions; and
  - (d) restrictions on campaigning activities outside polling places;
- (5) electoral funding, donations and expenditure, including:
  - (a) definitions of electoral matter and electoral expenditure;
  - (b) regulations pertaining to political donations, including in the context of electoral reforms made by the Commonwealth and South Australian Parliaments, and with respect to ensuring compatibility with the Australian Constitution's implied freedom of political communication; and
  - (c) public election funding; and

---

<sup>1</sup> ACT Legislative Assembly, *Minutes of Proceedings, No 3*, 4 December 2024, p 40.

(6) any other relevant matter.

# Contents

|  |           |
|--|-----------|
| <b>About the committee</b>                                       | <b>i</b>  |
| Establishing resolution  | i         |
| Committee members  | i         |
| Secretariat  | i         |
| Contact us   | i         |
| <b>About this inquiry</b>  | <b>ii</b> |
| <b>Acronyms &amp; Abbreviations</b>                              | <b>v</b>  |
| <b>Recommendations</b>   | <b>vi</b> |
| <b>1. Introduction</b>   | <b>1</b>  |
| Conduct of the inquiry   | 1         |
| Interim report   | 1         |
| Overview of the 2024 ACT Election                                | 2         |
| <b>2. Issues arising</b>   | <b>4</b>  |
| Political signage  | 4         |
| Defined polling area   | 6         |
| Definition of electoral matter                                   | 9         |
| Truth in political advertising laws and artificial intelligence  | 13        |
| Other matters  | 16        |
| <b>3. Conclusion</b>   | <b>18</b> |
| <b>Appendix A: Submissions</b>                                   | <b>19</b> |
| <b>Appendix B: Witnesses</b>                                     | <b>21</b> |
| Thursday, 27 November 2025                                       | 21        |
| Tuesday, 9 December 2025   | 21        |
| <b>Appendix C: Questions Taken on Notice</b>                     | <b>23</b> |
| Questions Taken on Notice  | 23        |
| <b>Appendix D: Gender distribution of witnesses</b>              | <b>24</b> |
| <b>Appendix E: Additional comments by Mr Andrew Braddock MLA</b> | <b>25</b> |
| Introduction   | 25        |
| Continuing and repairing reforms to electoral finance laws       | 25        |
| Expanding the franchise in municipal government                  | 27        |
| Other matters  | 27        |
| Conclusion   | 28        |

## Acronyms & Abbreviations

| Acronym or Abbreviation | Long form                          |
|-------------------------|------------------------------------|
| ACT                     | Australian Capital Territory       |
| The Act                 | <i>Electoral Act 1992</i>          |
| AI                      | Artificial intelligence            |
| The Commission          | The ACT Electoral Commission       |
| MLA                     | Member of the Legislative Assembly |
| P&C                     | Parent and Citizen Association     |
| QTON                    | Question taken on notice           |
| TIPA                    | Truth in political advertising     |

# Recommendations

## Recommendation 1

The Committee recommends that the ACT Government amend the *Electoral Act 1992* to permit electoral roadside signage on public unleased land only:

- Within 50 metres of the grounds of polling place (a *permitted zone*);
- During the pre-polling period and on polling day; and
- Up to 6 signs per candidate in each permitted zone.

## Recommendation 2

The Committee recommends that the ACT Government amend the Electoral Act 1992 to reduce the radius of the defined polling area to 6 meters, consistent with the provisions for federal elections.

## Recommendation 3

The Committee recommends that the ACT Government amend the *Electoral Act 1992* to align the definition of *electoral matter* with the definition in the *Commonwealth Electoral Act 1918* (Cth).

## Recommendation 4

The Committee recommends that the ACT Government consider amendments to the *Electoral Act 1992* to prohibit the use of candidates' names and likenesses without their consent.

## Recommendation 5

The Committee recommends that the ACT Government give further consideration to the remaining recommendations made by Elections ACT in the development of electoral reform legislation.

# 1. Introduction

## Conduct of the inquiry

- 1.1. The Committee called for submissions from the public and from stakeholders from 18 December 2024, with an initial closing date of 4 March 2025. On notification from the ACT Electoral Commission that its report would likely not be finalised until the end of June 2025, the Committee extended the closing date for submissions until 31 July 2025.
- 1.2. The Committee received 33 submissions, which are listed at **Appendix A**.
- 1.3. The Electoral Commission report on the election was published on 12 August 2025.
- 1.4. The Committee held public hearings on Thursday, 27 November 2025 and Tuesday, 9 December 2025 and heard from witnesses including the Electoral Commission, academics, individuals, community organisations and the Attorney-General. Witnesses are listed in **Appendix B**. During the hearings, there were six questions taken on notice (QTONs). These questions are listed in **Appendix C**.
- 1.5. Committees began collecting information on the gender of witnesses in April 2023, in response to an audit by the Commonwealth Parliamentary Association. The aim is to determine whether committee inquiries are meeting the needs, and allowing the participation, of a range of genders in the community. Participation is voluntary and there are no set responses. A table showing responses is available in **Appendix D**.

## Interim report

- 1.6. Due to delays in receiving the ACT Electoral Commission's report, the Committee resolved to issue an interim report to address issues that could be resolved most quickly. The purpose of this approach was to minimise delays in progressing legislative reforms required before the next election.
- 1.7. The interim report was issued in January 2026. This is the final report.
- 1.8. The interim report made five recommendations, two for the ACT Electoral Commission and the remainder for the ACT Government.
- 1.9. The ACT Electoral Commission supported both of the following recommendations, and advised that it would report back to the Committee and the ACT Government on the outcomes:<sup>2</sup>
  - a) Recommendation 3: The Committee recommends that Elections ACT, in consultation with political parties and electoral commissions across Australia, elaborate on the minimum standards to be used by agencies to protect the personal data of voters on the electoral roll; and

---

<sup>2</sup> ACT Electoral Commission, *Correspondence to the Committee*, 17 March 2026.

- b) Recommendation 4: The Committee recommends that the ACT Electoral Commission consult with political parties before progressing a proposal to require all registered political parties to maintain records of signed party membership forms.
- 1.10. The ACT Government's response to the interim report was tabled in the Assembly on 5 May 2026<sup>3</sup>, and is available on the inquiry website.
- 1.11. Two of the recommendations addressed to the ACT Government identified legislative amendments to correct oversights or drafting errors. The ACT Government agreed with these recommendations.<sup>4</sup>
- 1.12. The remaining recommendation was that the ACT Government address 12 of the recommendations by the ACT Electoral Commission in its report. The ACT Government responded to each of these recommendations individually and agreed to 7, agreed in principle to four, and noted one.<sup>5</sup>

## Overview of the 2024 ACT Election

- 1.13. A Territory election is generally held every four years on the third Saturday in October.<sup>6</sup>
- 1.14. The 2024 election was held on 19 October 2024, with postal voting commencing on 30 September 2024 and early voting – available for all eligible voters – on 8 October 2024. The election result was announced on 26 October 2024 and formally declared on 30 October 2024.<sup>7</sup>
- 1.15. There were 149 candidates in the election, with 12 of the registered 15 political parties participating.<sup>8</sup>
- 1.16. There were 321,922 enrolled electors for the 2024 election, an increase of 15,922 since the 2020 election with 306,000 enrolled electors. The proportion of informal votes increased slightly from 1.4 percent in 2020 to 1.9 percent in 2024. The cost per vote of the election was \$24.92, an increase from \$21.62 from the 2020 election.<sup>9</sup>
- 1.17. The gender balance of elected members was nearly even, with 13 women and 12 men elected. Data for the last three elections indicates that although male candidates outnumber female candidates, the gap has been narrowing over time. Over half of the 25 elected candidates were female for the last three elections.<sup>10</sup> ACT Labor formed government with 10 elected members, while Canberra Liberals secured 9 seats, the ACT

---

<sup>3</sup> ACT Legislative Assembly, *Minutes of Proceedings, No 56*, 5 May 2024, p 982.

<sup>4</sup> ACT Government, *Standing Committee on the Integrity Commission and Statutory Office Holders – Report No. 3 – Inquiry into the operation of the 2024 ACT Election and Electoral Act 1992 – Interim Report – Government Response*, May 2026, p 3.

<sup>5</sup> ACT Government, *Standing Committee on the Integrity Commission and Statutory Office Holders – Report No. 3 – Inquiry into the operation of the 2024 ACT Election and Electoral Act 1992 – Interim Report – Government Response*, May 2026, pp 4–7.

<sup>6</sup> *Electoral Act 1992*, s 100.

<sup>7</sup> ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 15.

<sup>8</sup> ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 16.

<sup>9</sup> ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 10.

<sup>10</sup> ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, pp 37–38.

Greens four seats, and Independents for Canberra<sup>11</sup> and Fiona Carrick Independent one seat each.<sup>12</sup>

- 1.18. Amendments to the *Electoral Act 1992* since the 2020 election included measures to:
- a) Adjust the definition of a gift and establish a seven-day period for reporting gifts throughout the election cycle;
  - b) Establish property developers, their close associates, and foreign entities as prohibited donors;
  - c) Adjust the early voting period to two weeks and allow any elector to cast an early vote;
  - d) Allow the Electoral Commissioner to declare a mobile polling location to facilitate voting for people experiencing homelessness; and
  - e) Restrict the number of electoral signs to 250 per candidate and 250 per political entity, and limit their placement on public land adjacent to roads.<sup>13</sup>
- 1.19. Full details of amendments to the Act can be found in the ACT Electoral Commission's report on the election.

---

<sup>11</sup> The Independents for Canberra member, Mr Thomas Emerson MLA, resigned from the party in February 2025 and the party was deregistered on 10 July 2025.

<sup>12</sup> ACT Electoral Commission, 2024 List of elected candidates, <https://www.elections.act.gov.au/elections/previous-assembly-elections/2024-election/2020-list-of-elected-candidates> (accessed 7 January 2026)

<sup>13</sup> ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, pp 22–23.

## 2. Issues arising

### Political signage

- 2.1. Many submitters thought that roadside political signage (corflutes) should be reduced or banned.<sup>14</sup> Legislation in place for the 2024 election restricted the numbers of such signs to 250 per candidate and 250 per political entity, and limited their placement on public land adjacent to roads.<sup>15</sup>
- 2.2. The ACT Government advised that compliance action during the 2024 election had been focused on signs that breached the *Public Unleased Land (Moveable Signs) Code of Practice 2023 (No 1)* and signs that were fallen. A total of 537 signs had been collected and impounded, of which 462 were fallen while 75 were in breach of the Code. No election signs were collected from impoundment by their owners.<sup>16</sup>
- 2.3. Greg Tannahill submitted that discontinuation of roadside political advertising would benefit Canberrans, political parties and independent candidates, as well as the environment:

It represents a win for Canberrans, who won't have their beautiful city marred by ugly corflutes over election season. It also represents a win for parties, who can redirect the significant costs of printing all those corflutes into other electoral activity. It represents a win for the environment, as most of those corflutes ultimately end up in landfill. And it lowers the bar for small parties and independents, who struggle to keep up with large party spending in this area.<sup>17</sup>
- 2.4. Jordan Rocke described corflutes as 'visual clutter', and noted that poorly installed signs could be hazardous in high winds.<sup>18</sup>
- 2.5. Jude Dodd said that there were too many roadside signs, which were unsightly and led voters to become 'fed up and disengaged'. They submitted that the number of signs per candidate should be 'severely curtailed'.<sup>19</sup>
- 2.6. The ACT Greens advised that it had received 'extensive feedback that Canberrans despise roadside signage during elections'. It also noted that roadside signs were expensive to establish and maintain, and only had a life expectancy of 'a few days' before being damaged or lost.<sup>20</sup>
- 2.7. Independents for Canberra supported reducing or 're-calibrating' the numbers of corflutes allowed. It observed that, while roadside electoral advertising was accessible for parties

---

<sup>14</sup> See, for example: Greg Tannahill, *Submission 1*, pp 2–3; Jordan Rocke, *Submission 6*, pp 1–2; Jude Dodd, *Submission 16*, p 2; ACT Greens, *Submission 17*, pp 4, 12; Bruce Paine, *Submission 18*, p 6; Independents for Canberra, *Submission 19*, p 16; Ben Last, *Submission 25*, p 6; Mark Gale, *Submission 32*, p 1.

<sup>15</sup> [Public Unleased Land \(Movable Signs\) Code of Practice 2023 \(No 1\)](#), DI2023-244.

<sup>16</sup> ACT Government, *Submission 7*, p 4.

<sup>17</sup> Greg Tannahill, *Submission 1*, p 3.

<sup>18</sup> Jordan Rocke, *Submission 6*, p 2.

<sup>19</sup> Jude Dodd, *Submission 16*, p 2.

<sup>20</sup> ACT Greens, *Submission 17*, p 12.

and candidates, it could attract amenity complaints and driver distraction concerns, and ‘invariably’ led to vandalism and removal of signs by competitors.<sup>21</sup>

- 2.8. ACT Labor also noted the effects of vandalism on corflutes, which it said cost candidates money, time and emotional stress. It observed that enforcing the current restrictions would require ‘intensive resourcing and constant monitoring’, and that roadside advertising could be a valuable mechanism for building name-recognition, especially for non-incumbent and independent candidates.<sup>22</sup>
- 2.9. Canberra Multicultural Community Forum said that the current restrictions disproportionately impacted ‘candidates with limited budgets, many from multicultural communities’, who relied on corflutes to reach communities with low ‘digital engagement’. It advocated for ‘low-cost signage zones’ to be designated to promote equity.<sup>23</sup>
- 2.10. The Australia Institute, however, suggested that roadside signage, along with early voting and exclusion zones, should be considered in the context of civic engagement and election day as a ‘festival of democracy’. It noted that a ban on corflutes in South Australia had reportedly impacted some voters’ awareness of a by-election in 2024, and suggested that a reduction in complaints to the ACT Electoral Commission about such signs in 2024 indicated that a ‘happy medium’ had been found.<sup>24</sup>
- 2.11. The ACT Electoral Commission did not have a view on restrictions on roadside electoral advertising, but described it as ‘a vexed issue’.<sup>25</sup> It observed that the nature of the Hare-Clark system naturally led to a large amount of advertising:

The proliferation of the signs is really a feature of the Hare-Clark electoral system where candidates within a party are competing against the candidates within their own party and in other parties. It is a unique feature of a proportional representation system like Hare-Clark in the ACT.<sup>26</sup>

## Committee comment

- 2.12. The Committee notes that the Tenth Assembly’s Standing Committee on Justice and Community Safety, in its *Inquiry into the 2020 ACT Election and the Electoral Act*, recommended that the ACT Government ‘prohibit roadside signs for electoral advertising on public land’. That committee also recommended that, if Constitutional or human rights considerations presented a barrier to this outcome, the ACT Government consult with the community and report to the Assembly on the nearest alternative options.<sup>27</sup>
- 2.13. The ACT Government responded that a prohibition on roadside signage on public land ‘could fall foul of the Constitution’, and that it would ‘need to ensure that any restrictions are justified by outlining how they are appropriate and adapted to address a legitimate

---

<sup>21</sup> Independents for Canberra, *Submission 19*, p 16.

<sup>22</sup> ACT Labor, *Submission 29*, p 3.

<sup>23</sup> Canberra Multicultural Community Forum, *Submission 15*, p 4.

<sup>24</sup> Australia Institute, *Submission 12*, pp 6, 19.

<sup>25</sup> Mr Damian Cantwell, ACT Electoral Commissioner, *Committee Hansard*, 27 November 2025, p 9.

<sup>26</sup> Mr Rohan Spence, Deputy ACT Electoral Commissioner, *Committee Hansard*, 27 November 2025, p 9.

<sup>27</sup> Standing Committee on Justice and Community Safety (Tenth Assembly), Recommendation 24, *Inquiry into the 2020 ACT Election and the Electoral Act*, August 2021, p 38.

purpose’ and consider the implied freedom of political communication before it could bring forward any legislative reform.<sup>28</sup>

- 2.14. The Committee further notes that legislative reform enacted in South Australia in 2024 prohibits roadside electoral advertising on public land:

A person must not exhibit an electoral advertising poster on a public road or road-related area (including any structure, fixture or vegetation on a public road or road-related area).<sup>29</sup>

- 2.15. The Committee considers that providing very limited zones and strict restrictions on numbers of signs for roadside electoral advertising would provide adequate opportunity for promotion of candidates while improving candidate and volunteer safety and reducing ‘visual clutter’, environmental impact, and driver distraction. Such zones and limits would also be practical to enforce.

### Recommendation 1

The Committee recommends that the ACT Government amend the *Electoral Act 1992* to permit electoral roadside signage on public unleased land only:

- Within 50 metres of the grounds of polling place (a *permitted zone*);
- During the pre-polling period and on polling day; and
- Up to 6 signs per candidate in each permitted zone.

- 2.16. The Committee notes that this recommendation is not intended to affect existing rules on any signage displayed on private/leased land, or where accompanied by a candidate or volunteer at, for example, an electoral stall.

## Defined polling area

- 2.17. Section 303 of the *Electoral Act 1992* (ACT) prohibits canvassing within 100 metres of polling places. By contrast, the *Electoral Act 1918* (Cth) makes it an offence to canvass for votes within 6 metres of the entrance to a polling place.<sup>30</sup>
- 2.18. The Committee heard that the restriction on canvassing within 100 metres of polling places for ACT elections was confusing for voters, difficult for candidates and volunteers, and could impede accessibility to polling places.<sup>31</sup>
- 2.19. ACT Parents said that it had received mixed feedback on the restriction. Some of its member parent and citizen associations (P&Cs) found that it led to a ‘calmer environment’

<sup>28</sup> ACT Government, *Supplementary Government Response To The Justice And Community Safety Standing Committee Report 2 On The Inquiry Into The 2020 ACT Election And Electoral Act*, March 2022, pp 3–4.

<sup>29</sup> *Electoral Act 1985* (SA), s 115 (2a).

<sup>30</sup> *Electoral Act 1918* (Cth), s 340.

<sup>31</sup> See, for example: Greg Tannahill, *Submission 1*, pp 2, 4–5; Jordan Rocke, *Submission 6*, p 2; ACT Parents, *Submission 13*, pp 4–5; Canberra Multicultural Community Forum, *Submission 15*, p 4; Jude Dodd, *Submission 16*, p 1; ACT Greens, *Submission 17*, pp 4, 14; Independents for Canberra, *Submission 19*, pp 14–15; Ben Last, *Submission 25*, p 3; Fiona Carrick Independent Party, *Submission 33*, p 1.

and facilitated queue management and smooth operation for stalls. Other P&Cs had, however, expressed concern that the absence of campaign representatives on site resulted in some voters asking P&C volunteers where to get how-to-vote material. This led to confusion for voters and ‘unexpected responsibilities’ for the P&C volunteers who were present in a non-political capacity.<sup>32</sup>

- 2.20. ACT Parents also reported that some voters with mobility challenges had found it difficult to locate and access campaigners who were the required distance from the entrance to the polling place. It called for a ‘balanced approach’ that would allow voters to easily access campaign materials if they chose, but would also keep entrances clear and accessible.<sup>33</sup>
- 2.21. Independents for Canberra likewise considered that ‘a more nuanced and balanced approach’ to exclusion zones would both preserve the principle of voter protection while improving the accessibility of campaign materials to those who sought them. It proposed dedicated areas near each voting booth for the provision of electoral materials, while retaining a protected space at the booth itself.<sup>34</sup>
- 2.22. Canberra Multicultural Community Forum considered face-to-face campaigning to be a valued form of engagement, but that rules were unclear and discouraged participation for multicultural voters.<sup>35</sup>
- 2.23. The Fiona Carrick Independent Party echoed many submitters’ concerns that the 100-metre rule created undesirable outcomes and cited examples of people with limited mobility being dropped off adjacent to campaign volunteers, only to discover they then had to walk up to 200 metres to the polling place, due to the length of the building in which the polling place was located. Along with a much-reduced exclusion zone, it suggested the establishment of ‘quiet’ voting times, when candidates and campaign volunteers would not be present but campaign material could be provided for those who wished to take it.<sup>36</sup>
- 2.24. Some submitters suggested that, rather than having volunteers distributing electoral material in person, candidates should be able to provide flyers inside each polling place for voters to pick up if they chose.<sup>37</sup>
- 2.25. Conversely, the Canberra Liberals proposed ‘outright bans’ on election-day campaigning, to align with restrictions in Tasmania which also uses the Hare-Clark electoral system. This, it said, would reduce waste and inconvenience to residents.<sup>38</sup>
- 2.26. The Australia Institute told the Committee that the 100-metre rule was not working as intended, and that restrictions on canvassing should be aligned with Commonwealth electoral rules:

---

<sup>32</sup> ACT Parents, *Submission 13*, p 4.

<sup>33</sup> ACT Parents, *Submission 13*, pp 4–5.

<sup>34</sup> Independents for Canberra, *Submission 19*, p 14.

<sup>35</sup> Canberra Multicultural Community Forum, *Submission 15*, p 4.

<sup>36</sup> Fiona Carrick Independent Party, *Submission 33*, pp 1–2.

<sup>37</sup> See, for example: Jordan Rocke, *Submission 6*, p 2; Ben Last, *Submission 25*, p 3; Independents for Canberra, *Submission 19*, p 15.

<sup>38</sup> Canberra Liberals, *Submission 23*, p 8.

It is pretty clear that the 100-metre rule is intended to try and make voting more accessible. In fact, it often does the opposite. It often means that campaigners, instead of talking to people who are actually going to vote, end up talking to people who have already voted, or who are not eligible to vote, or who are not trying to go to vote right now [...] It means that people going to vote are less likely to see political information, and that sort of thing.<sup>39</sup>

- 2.27. The ACT Greens also advocated for alignment with Commonwealth rules. It described the current 100-metre rule as ‘unhelpful and frustrating’, saying that it resulted in confusion for voters and ‘the production of electoral materials significantly in excess of what would be produced for a federal election’.<sup>40</sup>
- 2.28. The ACT Electoral Commission considered that the current restrictions improved safety for voters and electoral staff, and avoided disruption at polling locations:

The benefit of it is increasingly evident, not so much here, but in other jurisdictions that have reported increasing levels of harassment or intimidation or even violence in and around polling locations. We need to be conscious of those growing risks in broader aspects of society. [...] The 100-metre rule is proving in my view to be a very worthy piece of legislation.<sup>41</sup>

### Committee comment

- 2.29. The Committee acknowledges the Electoral Commission’s concern for the safety and security of its staff and other people at polling locations.
- 2.30. The Committee also acknowledges the unique conditions of Hare-Clark elections may result in different pressures than those experienced during federal elections.
- 2.31. However, the Committee observes that voters are ‘primed’ by Commonwealth elections, which are more frequent than ACT Elections, to expect to engage with campaign volunteers and candidates and to receive electoral material close to a polling place. The removal of such engagement to a distance of 100 metres has had detrimental effects including reduced accessibility to those with limited mobility, voter confusion, and increased waste. It has simply relocated any conflict or harassment, and to some extent may have had the unintended consequence of introducing new conflict as the public encounter electoral material when they are not expecting it.
- 2.32. The Committee considers that the safety of people at polling locations at ACT Elections is likely to be consistent with federal elections, and that the much larger exclusion zone for canvassing for ACT Elections is not justified, especially in light of the disadvantages of the larger zone outlined in the evidence.

---

<sup>39</sup> Ms Skye Predavec, Researcher, Australia Institute, *Committee Hansard*, 9 December 2025, p 29.

<sup>40</sup> ACT Greens, *Submission 17*, p 14.

<sup>41</sup> Mr Damian Cantwell, ACT Electoral Commissioner, *Committee Hansard*, 27 November 2025, p 14.

## Recommendation 2

The Committee recommends that the ACT Government amend the Electoral Act 1992 to reduce the radius of the defined polling area to 6 meters, consistent with the provisions for federal elections.

## Definition of electoral matter

2.33. Section 4 of the *Electoral Act 1992* defines *electoral matter* as ‘matter, in printed or electronic form, that is intended or likely to affect voting at an election’. It elaborates that matter taken to be intended or likely to affect voting at an election includes material containing implicit or explicit reference to or comment on:

(a) the election; or

(b) the performance of the Government or Opposition, or a previous Government or Opposition; or

(c) the performance of an MLA or former MLA; or

(d) the performance of a political party, candidate or group of candidates in the election; or

(e) an issue submitted to, or otherwise before, the electors in relation to the election.<sup>42</sup>

2.34. However, publications of the Legislative Assembly, including committee reports, are not electoral matter.<sup>43</sup>

2.35. Division 17.3 of the Act sets out requirements and exemptions for the dissemination of electoral matter. Exemptions include electoral matter in reporting or commentary in a news publication, or letters to the editor of the publication, if the publication contains a statement about the authorisation of the electoral matter; material disseminated through social media in a private capacity; electoral matter in MLAs’ letters or press releases; government agency publications; or electoral matter on a T-shirt, badge, pen or balloon.<sup>44</sup>

2.36. The *Commonwealth Electoral Act 1918* (Cth), by contrast, defines electoral matter as ‘matter communicated or intended to be communicated for the dominant purpose of influencing the way electors vote in an election’. The relevant section of the Act includes clarifications relating to dominant purpose and exceptions including news reporting, academic or educational material, private communication, and communication in the House of Representatives, the Senate, or a parliamentary committee.<sup>45</sup>

---

<sup>42</sup> *Electoral Act 1992*, s 4.

<sup>43</sup> *Electoral Act 1992*, s 4 (3).

<sup>44</sup> *Electoral Act 1992*, s 292–294.

<sup>45</sup> *Commonwealth Electoral Act 1918*, s 4AA.

- 2.37. The Tenth Assembly’s Standing Committee on Justice and Community Safety, in its *Inquiry into the 2020 ACT Election and the Electoral Act*, said that the Commonwealth definition of electoral matter was ‘narrower, more clearly defined, and easier for stakeholders to interpret than the ACT definition.’ The committee recommended that the Electoral Commission ‘provide regulatory guidance on how it interprets the definition of “electoral matter” in s4 Electoral Act, and how it enforces the offence of “disseminating unauthorised electoral matter” in s292 Electoral Act, to provide clarity to entities outside the electoral process who may be captured under the provisions’ and that the ACT Government ‘investigate the feasibility of amending the definition of “electoral matter” in s4 of the Electoral Act to align with the equivalent Commonwealth provision’.<sup>46</sup>
- 2.38. In response, the ACT Electoral Commission noted the recommendations and said that it was of the view that the current definition was ‘appropriate’. It advised that it provided ‘a range of online and hardcopy reference material relating to the issue of authorising electoral matter’ and could provide advice to ‘all stakeholders and the broader community’.<sup>47</sup>
- 2.39. The ACT Government also noted the recommendations and said that it would work with the ACT Electoral Commission to identify opportunities for providing further guidance on the definition, and if required, would also consider whether an amendment to the Act to align the definition with the Commonwealth definition would be of benefit.<sup>48</sup>
- 2.40. The Tenth Assembly committee again recommended that the definition of electoral matter be aligned with the Commonwealth’s definition in its *Inquiry into Electoral and Road Safety Legislation Amendment Bill 2023*.<sup>49</sup>
- 2.41. In its response to that report, the ACT Government noted the recommendation but said it did not consider it ‘appropriate to progress ... at this time’. It argued that the definition of electoral matter impacted on many different parts of the Act and would require ‘substantial policy consideration’ to determine the effects of changing the definition. In particular, the ACT Government cited the role of the definition in calculating an entity’s electoral expenditure cap, and in defining many campaigning offences which carried criminal penalties:

While the ACT Government may give further consideration to this issue in future, the ACT Government cautions against any amendments until significant policy consideration has been given to the implications of any proposed change.<sup>50</sup>

---

<sup>46</sup> Standing Committee on Justice and Community Safety (Tenth Assembly), Recommendations 30 and 31, *Inquiry into the 2020 ACT Election and the Electoral Act*, August 2021, p 48.

<sup>47</sup> ACT Electoral Commission, *ACT Electoral Commission Response to the Standing Committee on Justice and Community Safety Report of August 2021*, 13 December 2021, p 20.

<sup>48</sup> ACT Government, *Government Response To The Justice And Community Safety Standing Committee Report 2 On The Inquiry Into The 2020 ACT Election And Electoral Act*, 14 December 2021, p 16.

<sup>49</sup> Standing Committee on Justice and Community Safety (Tenth Assembly), Recommendation 11, *Inquiry into the Electoral and Road Safety Legislation Amendment Bill 2023*, August 2023, p 16.

<sup>50</sup> ACT Government, *Standing Committee on Justice and Community Safety Report No. 19 Inquiry into Electoral and Road Safety Legislation Amendment Bill 2023 – Government Response*, October 2023, p 8.

- 2.42. Several submitters to this inquiry, too, raised concern that the ACT definition of electoral material was too broad and captured material which was not in fact intended or likely to affect voting, resulting in unnecessary burdens on academics and community organisations.<sup>51</sup>
- 2.43. Tuggeranong Community Council observed that its regular operations often involved discussions and advocacy, including assessment of government projects impacting local infrastructure and discussion of government policies on housing, education or health. The community council also provided platforms for residents to express their views on MLAs' performance. It considered these activities to be routine community engagement and consultation but was concerned that they would fall under the definition of electoral matter. It said that the current regulatory framework risked 'stifling genuine, apolitical community engagement' through burdensome compliance requirements.<sup>52</sup>
- 2.44. Canberra Multicultural Community Forum considered that the definitions of electoral matter and expenditure were 'overly complex and inaccessible', and called for simpler definitions and multilingual explanatory material to be made available.<sup>53</sup>
- 2.45. ACT Greens described the definition of electoral matter as 'non-functional, to the point that it must be misinterpreted by Elections ACT in order to avoid perverse outcomes'. It cited Mark Fletcher's submission to Tenth Assembly's Standing Committee on Justice and Community Safety *Inquiry into the 2020 ACT Election and the Electoral Act*, which described potential perverse outcomes of the definition. ACT Greens proposed as an example that election analysts in the media could be adversely affected by the definition:
- Popular psephologists, such as Antony Green, Kevin Bonham and Ben Raue, are possibly all in a technical violation of the Electoral Act due to their online publishing of non-partisan electoral analysis, without having registered and lodged returns with the commission as third parties.<sup>54</sup>
- 2.46. ACT Greens highlighted that the ACT definition of 'matter, in printed or electronic form' was in strong contrast with the Commonwealth definition of electoral matter, which specifies 'matter communicated or intended to be communicated' and does not refer to the form of communication. ACT Greens also noted that the Commonwealth definition of electoral matter as being 'for the dominant purpose' of influencing voters in an election meant that it was 'very much limited to the communication of electoral intent'.<sup>55</sup>
- 2.47. Canberra Liberals argued that material produced by an MLA as part of their parliamentary business should not be captured by the definition of electoral matter, and thence in the calculation of the cap on electoral expenditure. It said that the inclusion of policy positions in material distributed by MLAs to their constituents was 'essential', and including this

---

<sup>51</sup> See, for example: Tuggeranong Community Council, *Submission 4*, pp 1–2; ACT Greens, *Submission 17*, pp 15–16; Mark Fletcher, *Submission 24*, pp 3–8; ANU Law Reform and Social Justice Research Hub, *Submission 30*, pp 3–4.

<sup>52</sup> Tuggeranong Community Council, *Submission 4*, pp 1–2.

<sup>53</sup> Canberra Multicultural Community Forum, *Submission 15*, p 4.

<sup>54</sup> ACT Greens, *Submission 17*, p 15.

<sup>55</sup> ACT Greens, *Submission 17*, p 16.

material in calculating the expenditure cap risked restricting MLAs in fulfilling their representative responsibilities as well as limiting voters' access to important information.<sup>56</sup>

2.48. Canberra Liberals also called for the exemption relating to the dissemination of electoral matter on t-shirts to be extended to all items of clothing, to ensure consistent interpretation and compliance.<sup>57</sup>

2.49. Mark Fletcher's submission to this inquiry reiterated the points cited by ACT Greens in his submission to the Tenth Assembly inquiry. Mr Fletcher noted further potential perverse outcomes from the 2024 election, including signs at a polling place saying 'Democracy Sausages This Way'. He argued that, as the signs contained an express reference to the election, section 4 (2) of the Electoral Act provides that they are 'taken to be intended or likely to affect voting' and therefore meet the definition of electoral matter:

As material that contains an express reference to the election, it fit within the scope of section 4 and the Electoral Commission could have requested full financial disclosures from those running the barbecue, or fined people for not correctly authorising the sign.<sup>58</sup>

2.50. Mr Fletcher called for the ACT definition to be aligned with the Commonwealth definition of electoral matter, including the 'dominant purpose' provision. He called the ACT Government's response to recommendation 11 of the Tenth Assembly Standing Committee on Justice and Community Safety's *Inquiry into Electoral and Road Safety Legislation Amendment Bill 2023* 'confused' and argued that the impact of the definition throughout the Act made it more critical that the definition be amended:

... it is precisely because it has tendrils into so many different kinds of regulation that fixing the definition is so important. Because the definition is 'critical to many of the campaigning offences', the definition should not be so broad as to capture things which should not be considered 'electoral material'.<sup>59</sup>

2.51. The Australian National University Law Reform and Social Justice Research Hub (ANU LRSJ) agreed that the definition of electoral matter was pertinent to many facets of electoral regulation in the ACT. It said that while the current definition was 'comprehensive in its intent', it contained a 'degree of vagueness' which undermined its suitability, and that this risked perverse outcomes:

This ambiguity risks chilling legitimate speech whilst failing to target genuine electoral campaigning effectively.<sup>60</sup>

2.52. ANU LRSJ suggested that a revised definition could shift the focus of the provision 'from predicting a voter's reaction to assessing the nature, content, and context of the material

---

<sup>56</sup> Canberra Liberals, *Submission 23*, p 7.

<sup>57</sup> Canberra Liberals, *Submission 23*, p 7.

<sup>58</sup> Mark Fletcher, *Submission 24*, p 5.

<sup>59</sup> Mark Fletcher, *Submission 24*, p 8.

<sup>60</sup> ANU Law Reform and Social Justice Research Hub, *Submission 30*, p 3.

itself'. This, it argued, would provide greater clarity and ensure that only genuinely electoral material was captured.<sup>61</sup>

### Committee comment

- 2.53. The Committee considers that the definition of electoral matter in the *Electoral Act 1992* is a matter of long-standing concern in the community. The Committee observes that, during the Tenth Assembly, a predecessor committee twice recommended amendment of the definition, to which the ACT Government did not agree.
- 2.54. The Committee notes the Electoral Commission's opinion, expressed in December 2021, that the current definition is 'appropriate'. The Committee is disappointed that the Electoral Commission did not provide reasons why it considered the definition satisfactory.<sup>62</sup>
- 2.55. The Committee considers that the current definition is not fit for purpose and that strict interpretation of the definition would lead to absurd and perverse outcomes.
- 2.56. As far as the Committee is aware, there is no provision in the Act specifying a time-frame in which requirements and restrictions on electoral matter apply. This means that the possibility of perverse outcomes is not time-limited and could occur at any point in the electoral cycle.
- 2.57. The Committee concurs with submitters that the integral role of the definition of electoral matter in many provisions of the Act makes it crucial that the definition is clear, unambiguous and fit for purpose.
- 2.58. The Committee is of the opinion that alignment of the ACT's definition with the Commonwealth definition would achieve these aims and would promote consistency.

### Recommendation 3

The Committee recommends that the ACT Government amend the *Electoral Act 1992* to align the definition of *electoral matter* with the definition in the *Commonwealth Electoral Act 1918* (Cth).

## Truth in political advertising laws and artificial intelligence

- 2.59. The Committee heard from many submitters and witnesses on the topics of truth in political advertising (TiPA), artificial intelligence (AI), and the interaction of the two.<sup>63</sup>

<sup>61</sup> ANU Law Reform and Social Justice Research Hub, *Submission 30*, p 3.

<sup>62</sup> ACT Electoral Commission, *ACT Electoral Commission Response to the Standing Committee on Justice and Community Safety Report of August 2021*, 13 December 2021, p 20.

<sup>63</sup> See, for example: ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, pp 41–42, 55; Mr Damian Cantwell, ACT Electoral Commissioner, *Committee Hansard*, 27 November 2025, pp 3–5; Dr Yee-Fui Ng, Associate Professor in Law, *Submission 9*, pp 1–4 and attached report and *Committee Hansard*, 9 December 2025, pp 17–19; The Australia Institute, *Submission 12*, p 27; The Hon Jay Weatherill AO, Executive Director, Democracy and Engagement, McKinnon, *Committee Hansard*, 9 December 2025, pp 32–34; Canberra Multicultural Community Forum, *Submission 15*, p 4; ACT Greens, *Submission 17*, p 13; Independents for Canberra, *Submission 19*, p 13; Mark Fletcher,

- 2.60. The ACT Electoral Commission noted in its report on the 2024 ACT Election that the rapid growth of generative AI had raised concerns about the potential to erode public trust in democratic institutions and processes, and that AI-generated content intended to deceive or influence public opinion had become increasingly controversial worldwide.<sup>64</sup>
- 2.61. The Commission considered that the regulatory framework in the ACT to combat the use of AI in influencing electoral outcomes was insufficient, and recommended that the Legislative Assembly review potential regulatory responses to AI-generated political ‘deepfake’ content, for legislative implementation before the 2028 ACT election.<sup>65</sup>
- 2.62. The Commission also noted the establishment in July 2021 of a new offence for inaccurate and misleading electoral advertising under section 297A of the *Electoral Act 1992*. It advised that there had been 32 complaints alleging breaches of this section during the 2024 election, of which one was upheld.<sup>66</sup>
- 2.63. Associate Professor Yee-Fui Ng, an academic specialising in TiPA laws, noted that the 2024 election was the first for which such laws operated in the ACT. She advised the Committee that there had been very few complaints made under these provisions in the 2024 ACT election, compared to the volume of complaints in the South Australian election, and that the laws were unanimously supported by all ACT political participants.<sup>67</sup>
- 2.64. Dr Ng recommended that TiPA laws should be active at all times, not solely during an electoral period, and should be extended to generative AI. She suggested that broader measures should be taken to combat disinformation, including ‘bans on deceptive deepfakes’ and requiring transparency measures for generative AI.<sup>68</sup>

I think we will see this become an increasingly large problem. I think that the legislation should be amended to deal with, certainly, malicious and deceptive deepfakes and AI.<sup>69</sup>

- 2.65. Noting the Tasmanian legislation prohibiting the use of the name, photograph or likeness of a candidate or intending candidate during the election period without the candidate’s written consent,<sup>70</sup> Dr Ng advised the Committee that such an approach could be hard to enforce:

One problem with that approach—and that might be a good start—is that when we have malicious or deceptive AI, the authors are not necessarily identified. It is not easy to track down who has put up those images. ...

---

*Submission 24*, pp 13–15 and *Committee Hansard*, 9 December 2025, pp 48–49; ACT Labor, *Submission 29*, p 3; ANU Law Reform and Social Justice Research Hub, *Submission 30*, pp 6, 9–12 and *Committee Hansard*, 9 December 2025, p 25; Matt Watts, *Submission 31*, p 5.

<sup>64</sup> ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 41.

<sup>65</sup> ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 42.

<sup>66</sup> ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, pp 55–56.

<sup>67</sup> Dr Yee-Fui Ng, Associate Professor in Law, *Submission 9*, p 1.

<sup>68</sup> Dr Yee-Fui Ng, Associate Professor in Law, *Submission 9*, p 4.

<sup>69</sup> Dr Yee-Fui Ng, Associate Professor in Law, *Committee Hansard*, 9 December 2025, p 19.

<sup>70</sup> *Electoral Act 2004* (TAS), s 196.

Similarly, if you are trying to seek consent of the party, someone who is malicious is not going to bother with that; and, if we cannot track them down, how can we enforce the law? That is a problem.<sup>71</sup>

- 2.66. ACT Greens considered that the Tasmanian legislation rendered that state ‘almost uniquely immune to the threat of political deepfakes in an electoral setting’ by targeting the ‘underlying mischief’ of such deceptive practices, and that the regime therefore presented an effective template for legislative reform. ACT Greens suggested that the provisions could also be reasonably extended to protect party logos and branding, if they were registered with the Electoral Commission.<sup>72</sup>
- 2.67. McKinnon cautioned that, while TiPA laws did have ‘a chilling impact ... on some of the worst excesses of lies and misleading behaviour in politics’, they were vulnerable to tactical vexatious complaints to ‘tie up’ political opponents.<sup>73</sup>
- 2.68. Conversely, Mark Fletcher and Matt Watts both argued against TiPA laws. Mark Fletcher considered that they incentivised a reliance on unverifiable opinions and predictions to avoid making an inaccurate or misleading statement purporting to be fact:
- ‘Don’t vote for the other party, for they will do something awful’ is not demonstrably false or misleading.<sup>74</sup>
- 2.69. Matt Watts submitted that TiPA laws would be ignored by people who were determined to deceive the public:
- ... they would add red tape to the actions of those who seek to do the right thing whereas those who seek to mislead could ignore any laws.<sup>75</sup>
- 2.70. ACT Labor noted that the impact of AI and ‘deepfake’ technology was not unique to the ACT, and advocated for coordination with federal-level reform work to ensure consistency across jurisdictions. It also called for ‘consistent, enforceable standards’ and for material to be considered at any time, not only during an election period.<sup>76</sup>
- 2.71. The Australian National University Law Reform and Social Justice Research Hub (ANU LRSJ) considered the rapid development and increase in use of generative AI posed ‘a genuine threat to electoral integrity’, with the generation of ‘deepfakes’ a particular concern. It considered that s 297A of the Electoral Act did not adequately address this threat.<sup>77</sup>
- 2.72. The Attorney-General told the Committee that the ACT Government would ‘watch and learn’ about the use of AI in spreading electoral mis- and disinformation:

---

<sup>71</sup> Dr Yee-Fui Ng, Associate Professor in Law, *Committee Hansard*, 9 December 2025, p 19.

<sup>72</sup> ACT Greens, *Submission 17*, p 13.

<sup>73</sup> The Hon Jay Weatherill AO, Executive Director, Democracy and Engagement, McKinnon, *Committee Hansard*, 9 December 2025, pp 32–34.

<sup>74</sup> Mark Fletcher, *Submission 24*, p 15.

<sup>75</sup> Matt Watts, *Submission 31*, p 3.

<sup>76</sup> ACT Labor, *Submission 29*, p 3.

<sup>77</sup> ANU Law Reform and Social Justice Research Hub, *Submission 30*, pp 9–10.

The challenge for everyone, worldwide, will be in the assessment of that and exactly how it is being used. ...

It is all about watch and learn. We always say that legislation is not static; it needs to evolve and reflect societal attitudes and what is happening at the time.<sup>78</sup>

- 2.73. The Attorney-General further advised the Committee that the ACT Government would be 'open' to recommendations similar to the Tasmanian provisions prohibiting the use of candidates' names or likenesses without their consent, to protect against mis- and disinformation 'not just with AI' but by any means.<sup>79</sup>

### Committee comment

- 2.74. The Committee notes that AI tools provide expanded scope for the type of misrepresentation outlined in evidence, and that as AI develops, the scope will continue to widen.
- 2.75. The Committee also notes the potential difficulties in enforcing the Tasmanian model prohibiting the use of the name, photograph or likeness of a candidate without the candidate's written consent, as outlined by Dr Ng.
- 2.76. The Committee considers there are merits in considering whether and to what extent legislative steps can effectively address the risks of AI and misleading advertising. In this regard, the Tasmanian legislation can act as useful guidance. While this model is likely not perfect in combatting misleading or deceptive electoral advertising practices, the Committee is of the opinion that it provides a useful starting point for a legislative response.

#### Recommendation 4

The Committee recommends that the ACT Government consider amendments to the *Electoral Act 1992* to prohibit the use of candidates' names and likenesses without their consent.

### Other matters

- 2.77. The Committee recognises that there are a number of matters contained in submissions to this inquiry, including in recommendations from the Electoral Commission, which have gone unaddressed in either the interim or this report. While the Committee has examined at least some of these matters, it did not reach a final position on useful recommendations regarding them. This should not be taken as a rejection of any particular issue or suggestion made by submitters. Rather, the Committee recognises that there is the capacity for debate and consideration to continue.

---

<sup>78</sup> Ms Tara Cheyne MLA, Attorney-General, *Committee Hansard*, 9 December 2025, p 87.

<sup>79</sup> Ms Tara Cheyne MLA, Attorney-General, *Committee Hansard*, 9 December 2025, p 88.

### **Recommendation 5**

The Committee recommends that the ACT Government give further consideration to the remaining recommendations made by Elections ACT in the development of electoral reform legislation.

### **3. Conclusion**

- 3.1. The Territory is fortunate to have a well-functioning, independent Electoral Commission to conduct its elections, and a generally well-informed and engaged electorate. While there are always improvements to systems and processes that could be made, the Committee is pleased to see that the organisation, running and oversight of elections in the ACT are in good health.
- 3.2. The Committee would like to thank the ACT Electoral Commission, the Attorney-General and directorate staff, and all submitters and witnesses who participated in this inquiry.
- 3.3. The Committee makes five recommendations in this final report.

Mr Ed Cocks MLA  
Chair  
5 June 2026

## Appendix A: Submissions

| No.  | Submission by   | Received | Published |
|------|---|----------|-----------|
| 1    | Greg Tannahill  | 19/12/24 | 30/01/25  |
| 2    | The Canberra Alliance for Participatory Democracy             | 03/01/25 | 30/02/25  |
| 2.1  | The Canberra Alliance for Participatory Democracy             | 25/09/25 | 14/10/25  |
| 3    | Civil Liberties Australia                                     | 24/01/25 | 30/01/25  |
| 4    | Tuggeranong Community Council                                 | 24/02/25 | 25/01/25  |
| 5    | Erik Jochimsen  | 13/05/25 | 20/05/25  |
| 6    | Jordan Rocke  | 09/06/25 | 17/06/25  |
| 7    | ACT Government  | 02/07/25 | 14/10/25  |
| 8    | Council on the Ageing (COTA) ACT                              | 21/07/25 | 12/08/25  |
| 9    | Yee-Fui Ng  | 30/07/25 | 12/08/25  |
| 10   | Lung Foundation Australia                                     | 31/07/25 | 12/08/25  |
| 11   | Confidential  | 19/08/25 | -         |
| 12   | The Australia Institute                                       | 02/09/25 | 09/09/25  |
| 13   | ACT Parents   | 10/09/25 | 14/10/25  |
| 14   | Australian Multicultural Action Network                       | 15/09/25 | 14/10/25  |
| 15   | Canberra Multicultural Community Forum                        | 19/09/25 | 14/10/25  |
| 16   | Jude Dodd   | 23/09/25 | 14/10/25  |
| 17   | ACT Greens  | 26/09/25 | 14/10/25  |
| 18   | Bruce Paine   | 26/09/25 | 14/10/25  |
| 19   | Independents for Canberra                                     | 26/09/25 | 14/10/25  |
| 20   | Chris Culnane, Andrew Conway, Vanessa Teague, Ty Wilson-Brown | 29/09/25 | 04/11/25  |
| 21   | Clubs ACT   | 29/09/25 | 14/10/25  |
| 22   | McKinnon  | 29/09/25 | 14/10/25  |
| 23   | Canberra Liberals   | 29/09/25 | 14/10/25  |
| 24   | Mark Fletcher   | 30/09/25 | 14/10/25  |
| 25   | Ben Last  | 30/09/25 | 14/10/25  |
| 26   | Harry-Dean Kenchington Goldsmith                              | 30/09/25 | 14/10/25  |
| 26.1 | Harry-Dean Kenchington Goldsmith                              | 30/09/25 | 14/10/25  |
| 27   | Travis Jordan and Dr Francis Markham                          | 30/09/25 | 14/10/25  |
| 28   | Kerry Corke   | 30/09/25 | 14/10/25  |
| 29   | ACT Labour  | 30/09/25 | 14/10/25  |

|    |  |          |          |
|----|--|----------|----------|
| 30 | ANU Law Reform and Social Justice Research Hub | 30/09/25 | 14/10/25 |
| 31 | Matt Watts                                     | 30/09/25 | 14/10/25 |
| 32 | Mark Gale                                      | 30/09/25 | 14/10/25 |
| 33 | Fiona Carrick Independent Party                | 01/10/25 | 14/10/25 |

# Appendix B: Witnesses

Thursday, 27 November 2025

## ACT Electoral Commission

- **Mr Damian Cantwell**, Electoral Commissioner
- **Mr Rohan Spence**, Deputy Electoral Commissioner

Tuesday, 9 December 2025

**Associate Professor Yee-Fui Ng**, private capacity

## ANU Law Reform and Social Justice Research Hub

- **Mr Ethan Zhu**, Legal Researcher, ANU Law Reform and Social Justice Research Hub

## McKinnon

- **The Hon Jay Weatherill AO**, Executive Director, Democracy and Engagement

## The Australia Institute

- **Dr Morgan Harrington**, Research Manager
- **Ms Skye Predavec**, Researcher

**Mr Mark Fletcher**, private capacity

## ACT Parents

- **Ms Veronica Elliot**, Executive Officer
- **Ms Julie McLean**, Policy Officer

## Council on the Ageing ACT

- **Ms Jenny Mobbs**, Chief Executive Officer

## Australian Multicultural Action Network

- **Mr Ravi Krishnamurthy**, President

## Canberra Multicultural Community Forum

- **Mrs Chin Wong**, Secretary

**Associate Professor Vanessa Teague**, private capacity

**Mx Ty Wilson-Brown**, private capacity

## Canberra Alliance for Participatory Democracy

- **Dr Peter Tait**, Convenor
- **Dr Bernard Rohan**, committee member

## ACT Government

- **Ms Tara Cheyne MLA**, Attorney-General

### Justice and Community Safety Directorate

- **Mr Daniel Ng**, Acting Executive Group Manager, Legislation, Policy and Programs
- **Ms Nadia Marjan**, Acting Executive Branch Manager, Civil and Regulatory Law Branch, Legislation, Policy and Programs

### City and Environment Directorate

- **Mr Bruce Fitzgerald**, Deputy Director-General

## Appendix C: Questions Taken on Notice

### Questions Taken on Notice

| No. | Date     | Asked of                                       | Subject  | Response received |
|-----|----------|--|--|-------------------|
| 1   | 27/11/25 | ACT Electoral Commission                       | Misleading advertising complaints                          | 12/12/25          |
| 2   | 9/12/25  | ANU Law Reform and Social Justice Research Hub | Private individual exemptions                              | 23/12/25          |
| 3   | 9/12/25  | The Australia Institute                        | Seattle voucher scheme                                     | 13/01/26          |
| 4   | 9/12/25  | Canberra Multicultural Community Forum         | Organisations for consultation                             | -                 |
| 5   | 9/12/25  | Attorney-General                               | Legislative requirements for early polling                 | 7/01/26           |
| 6   | 9/12/25  | Attorney-General                               | Access Canberra resources for additional election workload | 22/12/25          |

## Appendix D: Gender distribution of witnesses

Beginning in April 2023, in response to an audit by the Commonwealth Parliamentary Association, Committees are collecting information on the gender of witnesses. The aim is to determine whether committee inquiries are meeting the needs, and allowing the participation of, a range of genders in the community. Participation is voluntary and there are no set responses.

| <b>Gender indication</b> | <b>Total</b> |
|--------------------------|--------------|
| Female                   | 9            |
| Male                     | 9            |
| Non-binary               | 1            |
| No data                  | 2            |

# Appendix E: Additional comments by Mr Andrew Braddock MLA

## Introduction

1. This final report deals with limited matters of substantive interest: signage, canvassing, definitions of electoral matter, and the mischief powered by generative AI. I welcome and wholeheartedly support the substantial recommendations made in this report but wish to provide comment on other matters not addressed in either the interim or final report.

## Continuing and repairing reforms to electoral finance laws

### Donation caps and related reforms

2. Over successive electoral cycles, the Electoral Commission has recommended that the Assembly reconsider its decision to abolish donation caps in 2015. While the ACT has a robust system of expenditure caps intended to prevent a single political entity from dominating the campaign space, it is lacking a measure to prevent a single major donor from capturing a political party.
3. When the ACT's \$10,000 donation cap was abolished in 2015, it was done based on assertion from the Government of the day that such caps were incompatible with the implied freedom of communication. This has since proven to have been a highly misguided premise, as the Commonwealth and a number of States has since legislated to implement donation caps, and the constitutional challenges to these schemes do not appear to relate to the caps themselves and rather to other measures.
4. It would be legitimate to burden the implied freedom of political communication with donation caps for an anti-corruption purpose provided that the caps are well-designed and targeted to that purpose.
5. I note that the State of Victoria is presently proposing to re-legislate its own campaign finance scheme with a \$10,000 donation cap.<sup>80</sup> Victoria's previous scheme contained \$5,000 donation caps and was rejected by the high court for incompatibility with the implied freedom on the basis of how it interacted with newer provisions concerning nominated entities, and their ability to provide established parties with substantial funds which new entrants cannot access.<sup>81</sup>
6. The true challenge for the proper design of donation caps will be to ensure that they properly engage with this question of *nominated entities*. If a nominated entity is able to evade donation caps and contribute vaster sums of money to campaign expenditure, then it creates an unjustifiable burden on the ability of other political entities to compete, and challenges the implied freedom.

---

<sup>80</sup> *Electoral Further Amendment Bill 2026 (Victoria)*

<https://www.legislation.vic.gov.au/bills/electoral-further-amendment-bill-2026>

<sup>81</sup> *Hopper v Victoria*, [2026] HCA 11

<https://www.hcourt.gov.au/cases-and-judgments/judgments/judgments-1998-current/hopper-v-victoria>

7. In the ACT, there are two entities that could be described as nominated entities within the meaning established by Victoria and the Commonwealth: ACT Labor's 1973 Foundation, and the Canberra Liberals' Sentia-managed property portfolio. The former is significantly more substantial. In 2024-25, ACT Labor reported \$353,000.00 in receipts from the 1973 Foundation, while the Canberra Liberals received \$258,373.99 from Sentia Real Estate.<sup>82</sup>
8. Any discussion about improving the integrity of campaign finance in the ACT would necessarily involve opening a conversation about the benefits that these nominated entities provide to the established major parties through their financial heft. It is my belief that the old parties would prefer to not have that conversation at all, lest it threaten their existing financial advantage over new and growing parties, including the ACT Greens. Therefore, they do not wish to entertain a conversation about restoring constitutionally-valid donation caps.

### Banning donations from sectors with a corrupting influence

9. There are a number of industries and sectors which can increasingly be evidenced as having a corrupting influence on politics and where banning . In particular, the nicotine, gambling and fossil fuel sectors.
10. For the nicotine sector, the inquiry specifically received a submission from the Lung Foundation, calling for the Assembly to explicitly ban political donations from the tobacco industry and operationalising existing policies to not accept their donations.<sup>83</sup> The corrupting influence of the tobacco industry, which extends to other nicotine products including for vaping, is extremely well-documented, including through the *World Health Organisation Framework Convention on Tobacco Control*.
11. Similarly with respect to the fossil fuel sector, the *United Nations Framework Convention on Climate Change* is increasingly recognising the need to rapidly reduce emissions to keep the climate within safe parameters, and the need to keep all undeveloped fossil fuel reserves in the ground. Climate change is a civilisation-scale existential threat. Despite this, governments continue to commit to new extraction projects under lobbying pressure from fossil fuel interests.
12. Gambling interests in Australia are entrenched, and the harm that the gambling sector inflicts on lives is well-understood. Despite this, the sector has been effective in lobbying governments for light-touch regulatory settings, which are known to be ineffective. Most notable are the Commonwealth's recent decisions to implement a partial ban on gambling advertising which was recommended against by a parliamentary inquiry led by the late Peta Murphy on the basis that it would be demonstrably ineffective, limited action to curb the exposure of the pokies sector to money laundering activities, and the Canberra Racing Club's capture of the ACT Government on all matters concerning Thoroughbred Park. This industry has a tendency to destroy people's lives under the pretence of a bit of fun.
13. Where the nicotine sector represents a well-understood source of corruption which requires the reinforcement of anti-corruption measures against new emerging threats and tactics, fossil fuels and gambling are sectors where governments have an urgent need to act swiftly and decisively to stop the proliferation of substantial harm.

---

<sup>82</sup> <https://www.elections.act.gov.au/funding-disclosures-and-registers/annual-returns/20242025-annual-returns>

<sup>83</sup> See submission 010 – Lung Foundation Australia

14. All three sectors warrant bans on political donations. I believe they can be readily justified as sources of corruption, and thus justifiable under the implied freedom of political communication in a similar manner to the ban on donations from property developers.
15. It saddens me that the old parties do not wish to discuss the corrupting influence of these sectors, and it leaves open a central question: Why? The old parties should be judged accordingly.

## Expanding the franchise in municipal government

16. The Greens have long-supported initiatives to lower the voting age to 16 years of age. The case for this has been well-articulated in previous inquiries, so I do not need to elaborate further on it here. What matters for the purpose of this inquiry is that the Committee has elected to not deal with the question. While the campaign for lowering the voting age has waxed and waned over time, it has not gone away, and Members should expect to have to deal with it once again in the future.
17. More novel is the proposal to expand the voting franchise to permanent residents. It is reasonably common for permanent residents to be able to participate in municipal-level elections around the world. This is not a matter which interferes with questions of national security or sovereignty. This is about ensuring that people who pay rates – either as landowners or indirectly through rent – have a say in how their taxes are spent.
18. The Canberra Multicultural Community Forum submitted that “granting voting rights to permanent residents in local elections would enhance democratic legitimacy by including those directly affected by local government decisions” and “strengthen social cohesion and community belonging.”<sup>84</sup> This is an extremely valid argument which the Greens support.
19. The reform is not without precedent in Australia. Some of the country’s largest city councils, including the Cities of Sydney and Melbourne, do not discriminate on the basis of citizenship in their council elections.
20. The most prominent objections to expanding the franchise have historically been founded on the cost of maintaining an expanded electoral roll. In my opinion, this masks a concern by the old parties that they would struggle to appeal to young people and migrant communities. That is not sufficient grounds to oppose the concept, but an indictment on the old parties and their lack of attention towards issues affecting non-voters.

## Other matters

21. I also wish to provide the following comments on the issues that the Committee did not come to a view on but instead passed on to the ACT Government for consideration.
22. There are logistical issues surrounding international voting that need to be grappled with. The breakdown of the conventional postal system, coupled with rising cybersecurity risks which make internet voting unviable, create new challenges for the electoral process. The Greens have proposed allowing Australian embassies and high commissions to function as

---

<sup>84</sup> See submission 015 – Canberra Multicultural Community Forum

counting centres in order to speed up the processing of ballots, although other innovations may also prove fruitful.

23. The increasing preference for early voting has provoked decisions to reduce the number of ordinary polling booths on election day, but this has consequences for access to voting on a geographical basis. There is an appetite to consider what the minimum geographic distribution of polling centres should be, and this conversation has been left open-ended.
24. Falling competencies in civics and citizenship amongst school students, particularly at more senior levels, remains a topic of serious concern. Properly interrogating this issue does not strictly require a conversation about lowering the voting age, but it would likely assist.
25. The Select Committee inquiry into Caretaker Conventions found *“that, if it is the preference of the Assembly to have a full quarter of financial data to inform the Pre-Election Budget Update (PEBU), the ACT Government would need to consider introducing legislation to permanently change the dates of both the PEBU and the election to occur later than they are currently scheduled.”*<sup>85</sup> The Committee has not sought to assess if this is the preference of the Assembly.
26. There remain persistent concerns from academic experts on vulnerabilities in the ACT’s electronic voting system.<sup>86</sup> These vulnerabilities arise due to the absence of a voter-verifiable and scrutineer-verifiable record of any ballot that is lodged electronically. In the context of escalating narratives about voter fraud in the USA, such concerns should not be taken lightly. Unfortunately, in the absence of these concerns being properly recognised by the Electoral Commission or through the Committee, they shall continue to persist.
27. The minimum number of preferences to be numbered according to ballot paper instructions is set at the same number as the range of seats available. Concerns that this is inadequate are rising. Arguments that increasing the number is unlikely to change the outcome hold some validity in the present, but this is at risk of changing if the trend towards a declining major party vote continues. It is likely that the Assembly will need to return to this question in the future.
28. In addition to other concerns about electoral finance explored earlier, there are further questions emerging amongst civil society organisations regarding the most appropriate way to provide public funding for elections, with reference to the incumbency advantage provided to the major parties. A novel proposal by the Australia Institute<sup>87</sup> to offer ‘democracy vouchers’ which allow voters to allocate electoral funding independently of their first preference vote has been left unexplored.

## Conclusion

29. With additional time and focus it would have been possible to examine the issues above in more detail and progress them for the benefit of the community. It is a symptom of Members having competing priorities across a wealth of portfolios, which regrettably correlates with an Assembly that is too small to properly undertake its core functions.

---

<sup>85</sup> Select Committee on Caretaker Conventions, Report, Finding 2

<sup>86</sup> See Submission 020 - Chris Culnane, Andrew Conway, Vanessa Teague, Ty Wilson-Brown

<sup>87</sup> See Submission 012 - The Australia Institute

30. There is a growing recognition that the Legislative Assembly has too few MLAs to fulfill the responsibilities expected of them. Under 2013 advice provided to then-Chief Minister Gallagher<sup>88</sup>, the Assembly should have expanded to 35 MLAs in 2020, or otherwise no later than 2024 – a timeline which has come and gone.
31. Faith in democracy is declining across the world, including in Australia, and Canberra is no exception.<sup>89</sup> The Assembly should expect discussions about these matters to continue.

Andrew Braddock

Member for Yerrabi

5 June 2026

---

<sup>88</sup> [https://www.parliament.act.gov.au/\\_data/assets/pdf\\_file/0004/3004087/Expert-Reference-Group-Review-into-the-size-of-the-ACT-Legislative-Assembly-2013.pdf](https://www.parliament.act.gov.au/_data/assets/pdf_file/0004/3004087/Expert-Reference-Group-Review-into-the-size-of-the-ACT-Legislative-Assembly-2013.pdf)

<sup>89</sup> See, for example: <https://grattan.edu.au/report/for-the-people-future-proofing-australias-democracy/>