



## LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

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### SELECT COMMITTEE ON ESTIMATES 2023-2024

Mr Mark Parton MLA (Chair), Ms Jo Clay MLA (Deputy Chair),  
Mr Michael Pettersson MLA

### ANSWER TO QUESTION ON NOTICE

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Mr Braddock MLA: To ask the Electoral Commissioner

ACT Electoral Commission

Hearing Date: 25 July 2023

In relation to: Means of making software code publicly accessible

During hearing, your evidence was that, for voting software code, “the plan is at this point to, as it has always been, to make it publicly available”. Can you confirm if the current plan for making the code publicly available will involve openly publishing it online, or if access to the code will still need to be requested from the Commission?

Can you also please advise if this applies to all of the following, or if there is planned to be variations in approach?

- Counting system
- Pollsite system
- Internet voting system
- Security analysis
- System design documentation
- Software audit process
- Counting & Ballot audit process
- Any other system or system-related documentation

Damian Cantwell AM CSC : The answer to the Member’s question is as follows: –

The ACT Electoral Commission (the Commission) has determined that the source code for the eVACS® voting and counting system will be published online without a non-disclosure agreement in preparation for the 2024 ACT election. This will mirror the Commission’s process since 2001, except for 2020 when access to the source code was available to any member of the public following agreement to terms that if any issues were discovered they would be communicated to the Commission 60 days prior to any public disclosure.

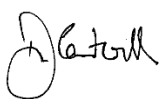
Open publication will include code related to the eVACS voting and counting system, and the OSEV code if a determination is made by the Commission to deploy OSEV in 2024.

System and security documentation will be made available to the degree that publication of such information would not adversely impact the security and electoral integrity of our democratic processes.

Appropriate documentation will be made available in support of the ballot paper scanning assurance process, when finalised.

Timely publication of software code by Elections ACT is reliant on the enactment of any electoral legislative changes by the Assembly at least 12 months prior to the 2024 ACT election. Legislation changes requiring electoral system software changes after that point will adversely impact the Commission's ability to appropriately alter, test, certify and publish the code in advance of the election.

Approved for circulation to the Select Committee on Estimates 2023-2024

Signature: 

Date: 7 August 2023

By the ACT Electoral Commissioner, Damian Cantwell AM CSC