



Legislative Assembly for the
Australian Capital Territory

Standing Committee on the Integrity
Commission and Statutory Office
Holders

Submission Cover Sheet

Inquiry into the operation of the 2024 ACT Election and Electoral Act 1992

Submission number: 029

Submitter: ACT Labour

Date authorised for publication: 14 October 2025

ACT LABOR SUBMISSION

Inquiry into the operation of the 2024 ACT Election and Electoral ACT 1992

Submitted by ACT Labor Secretary Caitlin Cook on behalf of ACT Labor.

ACT Labor thanks the staff and volunteers of Elections ACT for their dedication and professionalism in running the 2024 election. A fair, transparent and well-managed electoral process is key to a strong democracy, and we appreciate the efforts of all involved.

VOTER ENGAGEMENT AND VOTING PROCESS

TIMEFRAME AND ACCESSIBILITY OF VOTING

The two week early voting period worked well with 59% of votes cast before election day. The early voting period for the 2028 ACT election should remain the same.

ACT Labor is supportive of the Low Sensory Voting Centre, making the democratic process more accessible and inclusive. Volunteers and constituents suggested a southside location for the 2028 election should demand make this sustainable.

EXPANDING THE VOTING AGE

ACT Labor provided a [submission](#) to the Inquiry into Electoral Amendment Bill 2021 and [appeared before the Committee](#). ACT Labor's position on this matter has not changed.

POLITICAL ELECTORAL ACTIVITY

CAPPED EXPENDITURE

Capped expenditure applies from 1 January of an election year until polling day. During the year, members may need to update constituents on the Budget, legislation or local issues such as roadworks. These communications often count towards the cap. This restricts sitting MLAs from carrying out routine constituent communications during an election year.

This is particularly challenging for MLAs who are not re-contesting, as the cap applies to all members of a party grouping – that is, registered parties, MLAs, candidates, and prospective candidates. With a cap set for up to 25 candidates, the number of people included can exceed this if an MLA is retiring, requiring Members to choose between performing their duties and impacting their party's cap. ACT Labor raised similar concerns in its submission to the 2020 Electoral Act Inquiry.

In 2024, ElectionsACT gave timely advice when asked about eligibility of materials. However, members and staff would benefit from clearer written guidelines issued before the cap takes effect.

Consideration also needs to be given to how rules around capped expenditure impact the activities of Federal Members or candidates during ACT election years. Many ACT projects are joint Commonwealth and ACT Government initiatives. Communication about these projects (for example, major road upgrades or other infrastructure) may count towards the relevant ACT party's capped expenditure.

Where Federal and ACT elections occur in the same year, as is likely in 2028, this issue may affect any party that makes specific commitments to the ACT in a Federal Election context.

ARTIFICIAL INTELLIGENCE

The 2024 ACT election campaign and the 2025 federal election campaign saw a notable rise in the use of Artificial Intelligence. While much of this AI generated content was clearly inauthentic, some social media platforms, such as Facebook and Tik Tok, required users to disclose when an image was AI generated.

Misinformation and disinformation continue to spread rapidly online, placing the burden on voters to determine what is factually accurate. As AI becomes more sophisticated and accessible, the risk of misleading or deceptive content and materials will only increase if not appropriately regulated. This will make it even more difficult for the public to identify trustworthy information, undermining voters' ability to make informed decisions.

The impact of AI and deepfake technology is not unique to the ACT and any reform in this area should be coordinated with work happening at a federal level to ensure consistency across all jurisdictions.

AI regulation should also be developed alongside the ACT's political advertising laws to ensure consistent, enforceable standards. This should consider organic content from political parties, elected members, and candidates at any time, not only during an election year.

RESTRICTIONS ON ROADSIDE SIGNAGE

ACT Labor supported the new limits to roadside advertising which came into effect in 2024. Enforcement of these restrictions remains a challenge, as does the resourcing required to maintain and replace damaged corflutes.

In addition, enforcing rules and limits for every candidate and entity across the ACT requires intensive resourcing and constant monitoring.

Unfortunately, several ACT Labor candidates had their corflutes damaged or graffitied, some with very offensive language. This cost candidates money, time and emotional stress. ACT Labor is aware candidates from other political parties also experienced this.

ACT Labor also recognises that roadside signs may be valued by non-incumbent and independent candidates as one mechanism for building name recognition.

For the reasons above, ACT Labor would welcome a discussion on the use of roadside signage in 2028.

REPORTING AND DISCLOSURES

DOUBLE REPORTING OF GIFTS

This was raised in 2020 and to date, is still unresolved: when an MLA receives a gift of any value (even something as small as a box of chocolates), they must report it in both their own MLA Annual Return, and to the office of the party to which they belong, so that the party can report it in their own returns to Elections ACT.

This results in every gift an MLA receives being double reported.

If an MLA receives a box of chocolates as a thank you for attending a community event in their role as a local Member of Parliament, this is not in reality a gift to the party to which that MLA belongs, nor does that party derive any benefit from it.

ACT Labor considers that, in order to ensure gifts are reported in a way that is transparent and depicts an accurate account of events, gifts received by MLAs in their capacity as an MLA or Minister (i.e. not as representatives of a political party or to the benefit of that party) should not be reported as a gift to the party.

This would mean such gifts would only be reported in each MLA's own Annual Return and, where relevant, disclosed in a Member's Declaration of Private Interests (as they are now) and would not be double reported in each party's return.

Political parties should continue to report gifts received by the party – including gifts that benefit the party – in their own returns to ElectionsACT.

SEVEN DAY REPORTING

The ACT Labor Government is proud to have introduced one of the nation's strongest compliance frameworks, further strengthened last term.

However, the most recent introduction of ongoing seven-day reporting has created a significant administrative burden on reporting entities and ElectionsACT.

The Federal Government will be implementing electoral reform this term and consideration should be given to aligning reporting requirements to the extent it would not significantly impact transparency and accountability for ACT political parties.

Key differences include:

- Reporting periods covering calendar year, not financial year
- Different disclosure threshold amounts – \$5,000 vs \$1,000
- Timeframes for lodgement – gifts made and received over the disclosure threshold will need to be lodged by the 21st day of the month after the gift was received. During election periods this will be within 7 days of receiving the gift, except within 7 days of an election day when disclosures must be made within 24 hours of receiving the gift.

ASSOCIATED ENTITIES

The current legislative requirements administered by ElectionsACT, specifically Section 232(3)(c) of the Electoral Act 1992, impose a significant administrative burden on associated entities by setting disclosure thresholds at just \$1,000. This low threshold captures routine and non-political transactions, such as conference and room hire bookings.

For example, ACT Labor receives no income from the hire of conference rooms managed by the Labor Club. However, as an associated entity, the Club is required to report transactions above \$1,000, meaning the details of businesses, organisations, and individuals who book conference space must be disclosed publicly. The Labor Club has invested considerable time and financial investment to diversify revenue away from gaming which includes the construction of the 125-room Mercure Hotel Belconnen.

The legislation requirement to report room hire over \$1,000 to ElectionsACT has captured the recently developed 59 Cameron Ave Conference & Events Centre located above the Mercure Hotel with this facility a key pillar of the Clubs Diversification strategy. This requirement has unintended consequences, and it risks deterring organisations from hiring venues and may create a perception of political affiliation where none exists.

ACT Labor recommends amending the Act so that associated entities are not required to report income received from venue hire and room bookings.

RECOMMENDATIONS

The below is ACT Labor's response to all recommendations provided by the ACT Electoral Commission's *Report on the ACT Legislative Assembly Election 2024*.

Recommendation 1

ACT Labor supports this recommendation.

Recommendation 2

Any entity granted access to the ACT electoral roll should be required to maintain certain security standards. The data company contracted by the Australian Labor Party maintains ISO27002 certification, with annual external audits to ensure practices remain compliant and robust.

ACT Labor supports this recommendation.

Recommendation 3

ACT Labor supports this recommendation.

Recommendation 4 and 5

ACT Labor supports both recommendations.

Recommendation 6

ACT Labor supports this recommendation.

Recommendation 7

ACT Labor supports this recommendation.

Recommendation 8

ACT Labor supports this recommendation. Please see above for detailed response.

Recommendation 9

ACT Labor disagrees with the suggestion that it is not in the public interest for broadcasters and publishers to lodge a return.

A successful democracy relies on a free and transparent media. In the ACT, where the local media pool is relatively small, outlets hold great influence in shaping the opinion of voters and informing decision making.

ACT voters have a right to know which outlets are receiving advertising money from which political parties and candidates.

The Act could be reviewed to consider how newer forms of advertising with broadcasters (e.g. video-on-demand) are captured. This would ensure media transparency during an election campaign keeps pace with a changing media landscape.

ACT Labor does not support this recommendation.

Recommendation 10

ACT Labor supports this recommendation.

Recommendation 11

ACT Labor supports this recommendation.

Recommendation 12

ACT Labor supports this recommendation.

Recommendation 13

ACT Labor supports this recommendation.

Recommendation 14 and 15

ACT Labor supports these recommendations.

Recommendation 16 and 17

ACT Labor supports these recommendations.

Recommendation 18

ACT Labor supports this recommendation.

Recommendation 19

ACT Labor supports this recommendation.

Recommendation 20

ACT Labor supports this recommendation.

Recommendation 21

ACT Labor supports this recommendation.

Recommendation 22

ACT Labor supports this recommendation.

Recommendation 23

ACT Labor supports this recommendation.

Recommendation 24

ACT Labor supports this recommendation.

Recommendation 25

ACT Labor supports this recommendation.

Recommendation 26

ACT Labor supports this recommendation.

Recommendation 27

ACT Labor supports this recommendation.

Recommendation 28

ACT Labor supports this recommendation.