



**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* – Interim report

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

Approved for publication

Report 3
11th Assembly
January 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

Ms Kathleen de Kleuver, Committee Secretary

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About this inquiry

At its meeting on 4 December 2024 the Assembly passed the following resolution:¹

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

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

(6) any other relevant matter.

Contents

About the committee	i
Establishing resolution	i
Committee members	i
Secretariat	i
Contact us	i
About this inquiry	ii
Acronyms & Abbreviations	vi
Recommendations	vii
1. Introduction	1
Conduct of the inquiry	1
Interim report	1
Overview of the 2024 ACT Election	1
2. Immediate issues arising	3
ACT Electoral Commission report	3
Publication	3
Reporting of donations	4
Selected ACT Electoral Commission recommendations	4
Recommendations 1 and 2 – Access to the Electoral Roll	4
Recommendation 3 – Redistribution of electoral boundaries	5
Recommendation 4 – Changes to party secretary address	6
Recommendation 5 – Privacy for home address details	6
Recommendation 6 – Party membership	7
Recommendation 7 – internally reviewable decisions	7
Recommendation 13 – Procurement	8
Recommendation 19 – System integrity and reliability	8
Recommendation 21 – Antarctic electors	8
Recommendation 23 – Declaration voting	9
Recommendation 25 – Security clearances for members of the Commission	9
Recommendation 26 – Casual vacancy quota	10
Recommendation 27 – Temporary staff	10
Recommendation 28 – Limitations on filming and photos in a polling location	10
3. Conclusion	12
Appendix A: Submissions	13

Appendix B: Witnesses	15
Thursday, 27 November 2025	15
Tuesday, 9 December 2025	15
Appendix C: Questions Taken on Notice	17
Questions Taken on Notice	17
Appendix D: Gender distribution of witnesses	18

Acronyms & Abbreviations

Acronym or Abbreviation	Long form
ACT	Australian Capital Territory
The Act	<i>Electoral Act 1992</i>
The Commission	The ACT Electoral Commission
MLA	Member of the Legislative Assembly
QTON	Question taken on notice
TVA	Total votes allotted

Recommendations

Recommendation 1

The Committee recommends that the ACT Government introduce legislation to amend section 10A of the *Electoral Act 1992* to enable the Speaker to circulate and publish a special report by the Electoral Commissioner when the Assembly is not sitting, consistent with legislation for other statutory officers' reports.

Recommendation 2

The Committee recommends that the ACT Government introduce legislation to amend the *Electoral Act 1992* to require parties to report additional donations from a donor after the \$1,000 threshold has been reached and reported.

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.

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.

Recommendation 5

The Committee recommends that the ACT Government address recommendations 3, 4, 5, 7, 13, 19, 21, 23, 25, 26, 27 and 28 of the ACT Electoral Commission's *Report on the ACT Legislative Assembly Election 2024*.

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. In this report, references to Committee Hansard are to proof transcripts of evidence. Page numbers may vary between proof and official transcripts.
- 1.6. 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

- 1.7. 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 is to minimise delays in progressing legislative reforms required before the next election.

Overview of the 2024 ACT Election

- 1.8. A Territory election is generally held every four years on the third Saturday in October.²
- 1.9. 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 2024.³

² *Electoral Act 1992*, s 100.

³ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 15.

- 1.10. There were 149 candidates in the election, with 12 of the registered 15 political parties participating.⁴
- 1.11. 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.⁵
- 1.12. 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.⁶ ACT Labor formed government with 10 elected members, while Canberra Liberals secured 9 seats, the ACT Greens four seats, and Independents for Canberra⁷ and Fiona Carrick Independent one seat each.⁸
- 1.13. 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.⁹
- 1.14. Full details of amendments to the Act can be found in the ACT Electoral Commission's report on the election.

⁴ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 16.

⁵ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 10.

⁶ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, pp 37–38.

⁷ 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.

⁸ 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)

⁹ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, pp 22–23.

2. Immediate issues arising

ACT Electoral Commission report

Publication

- 2.1. The report of the ACT Electoral Commissioner into the 2024 ACT Election is a key component of the terms of reference for this inquiry. In late January 2025, the Commissioner wrote to the Committee indicating that the report would not be completed until the end of June 2025, and requested that the submission period for the inquiry be extended accordingly. The Committee extended the submission closing date to 31 July 2025 and subsequently to 30 September 2025, to allow submitters time to consider the report.
- 2.2. The Electoral Commission provided the report to the Speaker and to the Committee on 15 July 2025. Section 10A of the *Electoral Act 1992* provides that ‘If the Speaker receives a report [...] the Speaker must present a copy of the report to the Legislative Assembly on the next sitting day after the day the Speaker receives it’¹⁰.
- 2.3. The Act makes no provision for circulation or publication before tabling by the Speaker.
- 2.4. On this occasion, there was a period of seven weeks between provision of the report to the Speaker and the next sitting day.
- 2.5. The Attorney-General is required to provide a response to the Electoral Commission report within three months of its presentation to the Assembly.¹¹
- 2.6. On the advice of the ACT Solicitor-General, the Committee authorised publication of the Electoral Commission’s report, accepting it as an exhibit and publishing it on the inquiry webpage on 12 August 2025. The Electoral Commission also published the report on its own website.

Committee comment

- 2.7. The Committee notes that the legislation relating to publication of reports by the Electoral Commissioner is inconsistent with provisions for publication of reports by other statutory office holders such as the Auditor-General or Integrity Commissioner, whose reports are may be circulated by the Speaker when the Assembly is not sitting, and publication taken to have been ordered by the Assembly on the day the report is given to the Speaker.¹²

¹⁰ *Electoral Act 1992*, s 10A (2).

¹¹ *Electoral Act 1992*, s 10A (3).

¹² *Auditor-General Act 1996*, s 17 (5); *Integrity Commission Act 2018*, s 189 (2)

Recommendation 1

The Committee recommends that the ACT Government introduce legislation to amend section 10A of the *Electoral Act 1992* to enable the Speaker to circulate and publish a special report by the Electoral Commissioner when the Assembly is not sitting, consistent with legislation for other statutory officers' reports.

Reporting of donations

- 2.8. The Committee noted that the Electoral Commission had written to reporting agents of political parties in December 2025, identifying an apparent drafting error in the Act. This apparent error meant that, once donations totalling over \$1,000 from one donor had been reported to the Commission, parties were not required to report additional donations from that donor.¹³
- 2.9. The Attorney-General advised the Committee that initial advice from the Justice and Community Safety Directorate on being advised of the situation was that this was indeed an error and should be amended as soon as possible.¹⁴

Recommendation 2

The Committee recommends that the ACT Government introduce legislation to amend the *Electoral Act 1992* to require parties to report additional donations from a donor after the \$1,000 threshold has been reached and reported.

Selected ACT Electoral Commission recommendations

- 2.10. The following recommendations by the ACT Electoral Commission were selected for preliminary consideration by the Committee because they did not draw any negative feedback in submissions and the Committee considered that they could be quickly addressed by the ACT Government.

Recommendations 1 and 2 – Access to the Electoral Roll

The Commission **recommends** a review of the Regulation for the purpose of reassessing the appropriateness of the prescribed authorities currently listed as requiring access to the electoral roll.

The Commission **recommends** amending the Regulation to include a minimum set of security standards and requirements for any agency receiving access to the ACT electoral roll. The ACSC Essential Eight model may be appropriate to establish a baseline set of security standards.

¹³ Mr Andrew Braddock MLA, Deputy Chair, *Proof Committee Hansard*, 9 December 2025, p 83.

¹⁴ Ms Tara Cheyne MLA, Attorney-General, *Proof Committee Hansard*, 9 December 2025, p 83.

- 2.11. In its report on the election, the Electoral Commission advised that five prescribed authorities are currently listed in the *Electoral Regulation 1993* as approved by the Minister for access to electoral roll information:
- a) The Chief Health Officer, for maintaining the cancer register;
 - b) The Director-General of Treasury, for contacting Totalcare employees about superannuation;
 - c) The Public Trustee and Guardian, for the administration of deceased estates;
 - d) The Commissioner for Revenue, for the administration and enforcement of a tax law; and
 - e) The Integrity Commissioner, for investigating alleged corrupt conduct.¹⁵
- 2.12. The regulation restricts the circumstances under which each prescribed authority may give roll information to another person or entity.¹⁶
- 2.13. However, the Commission observed that the regulation does not detail security requirements, practices or procedures to be taken to protect the electoral roll from data breaches or cyber attacks.¹⁷
- 2.14. The Commission argued that intentional or unintentional public disclosure of the roll, or data theft through foreign interference, would greatly damage the reputation of both the Commission and the ACT Government, and impact public confidence in the election process.¹⁸

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.

Recommendation 3 – Redistribution of electoral boundaries

The Commission **recommends** that section 37 of the Electoral Act be amended to provide for the commencement of the next redistribution process 25 months prior to when the next ordinary election is due to be held.

- 2.15. This recommendation was supported by the Australian Multicultural Action Network, which called for the redistribution process to be ‘timely, transparent and allow for community consultation’.¹⁹
- 2.16. The Electoral Commission noted that the earliest a redistribution could currently commence was in late October, two years before an election. However, because of the

¹⁵ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 30.

¹⁶ *Electoral Regulation 1993*, s 4(3), s 4A(2), s 4AA(3), s 4AB(3) and s 4AC(3).

¹⁷ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 31.

¹⁸ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 31.

¹⁹ Australian Multicultural Action Network, *Submission 14*, p 2.

timing of school holidays and the proximity to Christmas, many Canberrans were absent from the ACT at that time of year. The Commission advised that Redistribution Committee regularly delayed the first consultation period until February of the following year to allow for maximum participation, but that this delayed the redistribution process by two to three months.²⁰

- 2.17. These delays in redistribution could, the Commission said, cause difficulties for political parties, candidates and affected electors in preparation for an election.²¹
- 2.18. At the public hearing, the Attorney-General expressed the view that this legislative change should be implemented as soon as possible.²²

Recommendation 4 – Changes to party secretary address

The Commission **recommends** amending section 95(3) of the Electoral Act to allow applications for changing the address of a registered party's secretary, exempting the applications from the requirements for notification and objection in sections 91 and 91A.

- 2.19. The Commission advised in its report that this recommended amendment would align the process for changing the party secretary's address with that of the party's registered officer. This would streamline the process and remove administrative delays incurred by the current 14-day public objection period, which the Commission considered unnecessary for a simple address change.²³

Recommendation 5 – Privacy for home address details

To support privacy measures, the Commission **recommends** reviewing the definition of address under Part 7 of the Electoral Act with the aim of limiting the potential to publish the personal residential address of a party's registered officer or secretary.

- 2.20. The Commission noted that the definition of address under Part 7 of the Electoral Act was introduced with the aim of replacing the requirement to publish the personal residential address of a party's registered officer with the option to publish a business or party address (other than a post office box). However, with the rise of small, individual-based parties who often did not maintain a separate party or business address, the aim of the definition was no longer being met.²⁴

Committee comment

- 2.21. The Committee agrees the need to keep the residential addresses of party officials confidential, but caution that this reform requires careful consideration. The definition of

²⁰ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 32.

²¹ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 32.

²² Ms Tara Cheyne, Attorney-General, *Proof Committee Hansard*, 9 December 2025, p 84.

²³ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 35.

²⁴ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, pp 35–36.

an address is applied across the legislation, including for the defined particulars to be collected from political donors.

Recommendation 6 – Party membership

To prevent ongoing issues and reduce the potential for fraudulent activity, the Commission **recommends** that all aspiring registered political parties be required to maintain records of signed party membership forms. This would serve as the minimum basis for establishing membership status. The Commission suggests legislating this provision by introducing a definition of “member” in Part 7 of the Electoral Act. This definition would specify that a member is an individual who has physically or digitally signed a party membership form and whose membership remains active. The Commissioner should then be empowered to require the party to provide the completed membership forms under section 97A.

- 2.22. The Commission advised that, when verifying an application to register a party, and in mid-cycle compliance reviews, it would contact each claimed member of the party. Recent such exercises had revealed discrepancies between some parties’ understanding of what constituted membership and that of their claimed members. In one case before the 2024 election, 27 percent of claimed members of one party had told the Commission that they did not consider themselves party members.²⁵
- 2.23. The Commission considered that a requirement to maintain records of signed membership forms would reduce the likelihood of such misunderstandings and potential fraudulent activities by parties seeking registration.²⁶

Committee comment

- 2.24. The Committee notes that some political parties do not use signed forms but electronic forms to manage their memberships.

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.

Recommendation 7 – internally reviewable decisions

The Commission **recommends** fixing what appears to be a drafting error by amending Schedule 5 of the Electoral Act to include, under column 2 “93(1) or (2)”, under column 3 “refuse an application for the registration of a political party” and under column 4 “applicant for registration”.

²⁵ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 36.

²⁶ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 36.

- 2.25. In its report, the Electoral Commission outlined a ‘contradictory scenario’ caused by the omission of a decision to refuse registration of a political party from the schedule of internally reviewable decisions.²⁷
- 2.26. The Commission considered that this was due to a drafting error, inadvertently introduced when the Act was amended in the past.²⁸

Recommendation 13 – Procurement

The Commission **recommends** provisioning of funds through government budget processes for the appointment of a Procurement Manager in Elections ACT to ensure that procurement processes are handled with the necessary expertise and focus, thereby streamlining operations and allowing other staff members to concentrate on their core responsibilities.

- 2.27. The Commission advised that the ‘increasing complexity and compliance obligations’ of procurement processes had impacted its staff’s workload, and that it was ‘crucial’ to establish a dedicated procurement manager for future ACT elections. This would streamline operations, allow other staff to concentrate on their core responsibilities, and ensure better compliance and risk management.²⁹

Recommendation 19 – System integrity and reliability

The Commission **recommends** amending section 256 of the Electoral Act to safeguard the validity of election results where immaterial errors occur, whether procedural, technical or human. This would ensure that only errors capable of affecting the outcome of an election may be grounds for disputing its validity.

- 2.28. The Commission acknowledged that no electoral process was immune to ‘irregularities’, which could include human error, administrative oversights or technological malfunctions. However, it argued that ‘not all errors are equal in their impact’, and that Australian legal doctrine suggested that only ‘material’ irregularities – those which could have realistically affected the outcome – should invalidate an election result.³⁰

Recommendation 21 – Antarctic electors

To address the outdated nature of polling procedures for Antarctic electors as prescribed under Part 11 of the Electoral Act, the Electoral Commission **recommends** that Part 11 (Polling in Antarctica) be removed, and any necessary definitions or clauses be moved within Part 10.

- 2.29. The Commission noted that provisions in the Act related to Antarctic electors had been based on similar provisions in the *Commonwealth Electoral Act 1918* at the time of

²⁷ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, pp 36–37.

²⁸ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, pp 36–37.

²⁹ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 50.

³⁰ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 69.

drafting, and were now ‘considerably outdated’, including references to obsolete technology.³¹

2.30. The Commission advised that there were now improved methods for electors in the Antarctic to vote in ACT elections, including by electronic voting if a program for this had been approved by the Commissioner.³²

2.31. For these reasons, the Commission considered Part 11 of the Act to be redundant.³³

Recommendation 23 – Declaration voting

The Commission **recommends** amending Schedule 3 of the Electoral Act to remove the requirement to examine the declaration voter’s enrolment history for possible ‘official error’. This will put the onus on the declaration voter to take the opportunity provided within each polling location to enrol before the legislated cut-off of 6 pm on election day for new electors.

2.32. The Commission advised that, despite the introduction of ‘enrol on the day’ legislation, there was still a requirement for the Commission to scrutinise the elector’s enrolment history to determine whether their omission from the electoral roll was due to ‘official error’.³⁴

2.33. The Commission considered that this ‘complex’ task was no longer necessary as voters not on the roll were offered the opportunity to enrol on the spot and provided with a declaration vote which is subject to scrutiny before being included in the count. Removing the requirement to additionally examine the enrolment history would free up resources ‘in high demand at a busy and critical time’.³⁵

Recommendation 25 – Security clearances for members of the Commission

The Commission **recommends** amending Division 2.4 of the Electoral Act to mandate the holding of an NV1 security clearance or higher.

2.34. The Commission described cyber risks, foreign interference and the spread of misinformation as ‘evolving challenges’ and said that ensuring the security and integrity of democratic processes was ‘crucial to maintaining public trust’ in election outcomes.³⁶

2.35. The Commission considered it essential that its members were approved to receive relevant classified information from federal and territory agencies, to enhance the ability to respond effectively to security threats and maintain public confidence.³⁷

³¹ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 84.

³² ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 84.

³³ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 84.

³⁴ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 89.

³⁵ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 89.

³⁶ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 104.

³⁷ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 104.

Committee comment

- 2.36. The Committee notes that this recommendation would apply to members of the ACT Electoral Commission, and not to staff members.

Recommendation 26 – Casual vacancy quota

The Electoral Commission **recommends** that the definition of the quota in clause 12 of Schedule 4 be changed to: $TVA/2 + 0.000001$, where TVA means the sum of the total votes allotted to the continuing candidates at the count, calculated to 6 decimal places.

- 2.37. The Commission noted that the total votes allotted (TVA) was now calculated to six decimal places, due to a legislative amendment in 2020, but that in clause 12 of Schedule 4 of the Act, the quota for a casual vacancy was calculated disregarding any fraction. This could lead to a ‘problematic scenario’ when the last two remaining candidates for a casual vacancy were separated by less than one full vote.³⁸
- 2.38. While the Act provides for a solution to this scenario by requiring the candidate with the fewest votes to be excluded, the Commission considered that it would be appropriate to align the casual vacancy quota with the 2020 amendment and calculate vote totals to six decimal places.³⁹

Recommendation 27 – Temporary staff

The Electoral Commission **recommends** amending section 32(1)(a) of the Electoral Act as ‘employ casual staff; or’ to align with terminology within the Commonwealth’s Fair Work Act 2009.

- 2.39. The *Electoral Act 1992* refers to ‘temporary staff’, while the *Fair Work Act 2009* (Cth) refers to ‘casual employees’.⁴⁰

Recommendation 28 – Limitations on filming and photos in a polling location

The Electoral Commission **recommends** amending the Electoral Act to introduce a new offence under Part 17, limiting the filming or photographing of election officials if it is likely to cause the official to be intimidated or harassed. Implementing this legislation in the ACT would provide a clear legal framework to prevent unauthorised filming and photography within polling places. This would help to ensure that polling officials can perform their duties without fear of harassment.

³⁸ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 104.

³⁹ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 104.

⁴⁰ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 104; *Electoral Act 1992*, s 32; *Fair Work Act 2009* (Cth), s 15A.

- 2.40. The Commission noted a recent trend where members of the public had filmed polling officials, often with the intent to publish footage on social media platforms. This raised concerns about the privacy of Commission employees and potential harassment.⁴¹
- 2.41. While the Commission had guidelines to protect the privacy of both voters and polling officials, these were not always sufficient to prevent unauthorised filming and photography. The Commission considered that more stringent measures were required to protect the integrity of the electoral process and the privacy of those involved.⁴²
- 2.42. The Commission noted that a New South Wales regulation prohibited the filming or photography of election officials or scrutineers if it was reasonably likely to cause intimidation or harassment, with penalties including fines of up to \$1,100.⁴³

Committee comment

- 2.43. The Committee considers that the above recommendations by the Electoral Commission are uncontroversial and will improve the efficacy of the Act and the Commission.

Recommendation 5

The Committee recommends that the ACT Government address recommendations 3, 4, 5, 7, 13, 19, 21, 23, 25, 26, 27 and 28 of the ACT Electoral Commission's *Report on the ACT Legislative Assembly Election 2024*.

⁴¹ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 105.

⁴² ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 105.

⁴³ ACT Electoral Commission, *Report on the ACT Legislative Assembly Election 2024*, 30 June 2025, p 105.

3. Conclusion

- 3.1. The Committee would like to thank all submitters and witnesses who participated in this inquiry.
- 3.2. The Committee makes five recommendations.
- 3.3. The Committee will issue a final report addressing outstanding issues raised in evidence, in due course.

Mr Ed Cocks MLA
Chair, Standing Committee on the Integrity Commission and Statutory Office Holders
20 January 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.

Gender indication	Total
Female	9
Male	9
Non-binary	1
No data	2