

Glossary

Absent votes	Votes cast by electors at a polling place outside their enrolled electoral division but still within their state or territory on polling day. These votes may be cast at any polling place in that state or territory.
ACT	Australian Capital Territory.
AEC	Australian Electoral Commission – The independent statutory authority established in 1984 to maintain and update the Commonwealth electoral roll and conduct federal elections.
AEO	Australian Electoral Officer – The AEC’s chief manager in each state and the Northern Territory. The returning officer for the Senate in each state and territory.
AFP	Australian Federal Police.
Alternative vote	Term used to describe the use of preferential voting in single member electorates.
Ballot	The voting process by which a choice is made between candidates in an election; the vote itself.
Ballot paper	A paper which shows the names of the candidates who are standing in an election and on which a vote is marked.
Bicameral legislature	A parliament or law-making body consisting of two chambers or houses.
BSA	<i>Broadcasting Services Act 1992 (Cth).</i>
Candidate	A person who stands for election to parliament. Candidates can be nominated by political parties or stand as independents.
Caretaker government	One of the conventions of Australian politics is that once an election is called, the government goes into ‘caretaker’ mode. Ministers continue to administer the Commonwealth, but are not able to make major policy decisions or appointments. The caretaker period continues after polling day until it is clear who will form the new government.
CDPP	Commonwealth Director of Public Prosecutions.
Certified list	The certified list is a copy of the electoral roll for a particular division. Polling officials place a mark against an elector’s name when the elector is issued with ballot papers to indicate that the elector has voted.
Close of rolls	The latest time at which qualified persons might lodge an enrolment form to enrol or update their enrolment, in order that they be entitled to vote in a particular election.
Compulsory enrolment	A legal obligation to enrol to vote at elections.
Compulsory voting	A legal obligation to vote at elections.
Constituency	See ‘Division’.

Constitution	The most basic set of rules by which a country or state is governed. In Australia, the Constitution was written in the 1890s, and sets out elements of the structure of Commonwealth Government. The Constitution can only be explicitly amended by referendum.
Court of Disputed Returns	A unique judicial body which is the sole recipient of legal challenges to the validity of federal election results. A candidate, elector or the AEC may dispute the validity of an election by a petition to the High Court sitting as the Court of Disputed Returns. The court has wide powers to resolve the matter.
Crimes Act	<i>Crimes Act 1914</i> (Cth).
Declaration of the polls	A formal public announcement of the result of an election.
Declaration vote	Votes that are sealed in an envelope bearing the voter's particulars. These votes are cast when: <ul style="list-style-type: none"> the voter's name cannot be found on the certified list the voter's name is marked off the certified list as already having voted; the voter is registered as a silent elector (i.e. his/her address does not appear on the roll); or the voter casts an absent, pre-poll or postal vote.
Division	Geographical areas containing approximately equal numbers of voters as defined for electoral purposes. Australia is divided into voting districts or electorates which are known as divisions. One member is elected from each division to the House of Representatives.
DRO	Divisional Returning Officer – The AEC officer responsible for maintaining the roll and conducting the election in each division.
Early vote	A vote cast in the lead-up to election day. They are cast by electors who will not be able to get to a polling place in their state or territory on election day. Postal and pre-poll votes are the two ways a voter can cast an early vote.
ECA	Electoral Council of Australia – A consultative council of Electoral Commissioners from the electoral authorities of the Commonwealth, states and territories which considers matters which will facilitate or improve Australian electoral administration.
Electoral Act	<i>Commonwealth Electoral Act 1918</i> (Cth) – The legislation governing the Commonwealth electoral process.
Electoral roll	See 'Roll'.
Electorate	See 'Division'.
Election period	The period commencing on the day of issue of the writ for the election and ending at the latest time on polling day at which an elector in Australia could enter a polling booth for the purpose of casting a vote in the election.
Electors	People eligible to vote in an election.
Enrolment	The act of having your name placed on the electoral roll. Australian citizens over 18 years of age (with a few exceptions) must enrol to vote.

EMB	Electoral Management Body – The authority within a jurisdiction charged with administering the electoral process.
First past the post	An election in which the candidate with the most votes is elected after one round of counting whether or not that person has more than half the votes counted.
FMA Act	<i>Financial Management and Accountability Act 1997</i> (Cth).
Formal vote	A ballot paper which has been correctly completed and accepted as valid. Only formal votes will be counted.
Formality rules	The rules which determine whether or not a given vote will be accepted as formal (valid) and counted in an election.
Franchise	The right to vote.
Full preferential voting	A system of voting in which the elector is required to indicate an order of preference for all candidates on the ballot paper.
General postal voting	Electors who consistently have difficulty getting to a polling place on polling day can register as a general postal voter. As soon as the DRO receives the ballot papers for an election, general postal voters are automatically sent postal ballot papers and certificate envelopes.
Group voting ticket	See 'Ticket voting'.
Hare-Clark	Hare-Clark is a proportional representation system which is a type of the 'single transferable vote' method. Electors vote by showing preferences for individual candidates. There will be more than one vacancy to be filled per division, and to be elected, a candidate needs to receive a quota of votes. Each elector has a single vote, which can be transferred from candidate to candidate according to the preferences shown until all the vacancies are filled.
Harmonisation	The adoption of uniform or consistent rules and laws across multiple jurisdictions. Harmonisation results in a unified regulatory environment in which participants benefit from clarity and simplicity.
House of Representatives	The lower house of the federal Parliament of Australia, where Members are elected from single-member divisions.
How-to-vote cards	Cards handed out to voters by party officials at polling places on election day showing how a party or candidate would like voters to fill in their ballot papers.
ICCPR	International Covenant on Civil and Political Rights.
Informal vote	A ballot paper which has been incorrectly completed or not filled in at all. Informal votes are not counted in the election of a candidate.
International IDEA	International Institute for Democracy and Electoral Assistance – An intergovernmental think-tank on democracy and electoral matters.
IPU	Inter-Parliamentary Union – An international organisation of parliaments of sovereign states which coordinates world-wide parliamentary dialogue.
IPU Declaration	The IPU Declaration on Criteria for Free and Fair Elections.

JSCEM	Joint Standing Committee on Electoral Matters – JSCEM inquires into and reports on such matters relating to electoral laws and practices and their administration as may be referred to it by either House of the Parliament or a Minister.
JSCER	Joint Select Committee on Electoral Reform – the predecessor to JSCEM.
Jurisdiction	A political subdivision (e.g. federal, state, municipality) with the responsibility for creating and enforcing laws within its geographic boundaries.
Legislature	The law-making body of a country or state.
NI	Norfolk Island.
Marginal seat	A term used after counting has been completed to describe a seat where the winning candidate received less than 56% of the two party preferred vote.
Mobile polling	A polling process in which mobile teams bring the polling to the elector. They visit electors in hospitals and nursing homes, prisons and remote locations to enable them to vote.
Multi-member electorate	An electorate which has more than one representative. A proportional representation system usually applies.
NT	Northern Territory.
NTR	National Tally Room – The media centre where the progressive voting figures for divisions are displayed when the votes are being counted on election night.
Ordinary vote	A vote cast by an elector on polling day at a polling place within the division for which the elector is enrolled.
Parliamentary democracy	A system of government where the people exercise their political power by electing representatives to Parliament to make laws.
POI	Proof of identity.
Political party	A political party is an organisation with the object or activity of promoting candidates for election to Parliament. Also see 'Registered political party'.
Poll	Another word for an election.
Postal vote	A method of voting through the post. Electors who for various reasons cannot attend a polling place in the state or territory for which they are enrolled on polling day can apply in writing for a postal vote. The DRO will then send them their ballot papers which must be posted back before the close of polling. See also 'general postal voting'.
Pre-poll vote	Votes cast at any AEC office or any pre-poll voting centre in the lead-up to polling day. Voters unable to vote in the division in which they are enrolled on election day are eligible to cast a pre-poll vote.

Preferential voting	A method of voting in which voters complete a ballot paper by placing numbers next to candidates on the ballot paper to indicate their order of preference. Voters may be required to number all the boxes to indicate all their preferences ('full' preferential), to number a mandated minimum number of boxes with their preferences ('partial' preferential), or to fill in at least one box to indicate their first preference, and more if they so wish ('optional' preferential).
Privacy Act	<i>Privacy Act 1988 (Cth).</i>
Proportional representation	A system of voting designed to elect representatives in proportion to the amount of support each has in the electorate.
Provisional vote	A provisional vote may be claimed by a person whose name cannot be found on the certified list of voters, or whose name is already marked off the roll but who claims not to have voted. The provisional voter's name is checked at the AEC divisional office before the envelope containing the vote is included in the count.
PS Act	<i>Public Service Act 1999 (Cth).</i>
Quota	The proportion or number of votes needed by a candidate or party to be elected.
Redistribution	A redistribution is the redrawing of the boundaries for the federal electoral divisions of a state or territory. The size of these divisions is determined by population. To ensure equitable representation, the boundaries must be redrawn periodically.
Referendum	A proposal to alter the Constitution put to the vote. The Australian Constitution can only be altered by a majority of electors in a majority of states passing the proposed amendment.
Registered political party	A registered political party is a political party with either a member in the Commonwealth Parliament or with a membership of at least 500 electors which has become registered under Part XI of the Electoral Act.
Representative democracy	A representative democracy is a system of government in which the power is vested in the people, who exercise their power through elected representatives in parliament.
RMP Act	<i>Referendum (Machinery Provisions) Act 1984 (Cth).</i>
Robson Rotation	The Robson Rotation process is a specific way of printing candidate names on ballot papers. The names in each column of candidates are printed in different orders on consecutive ballot papers so that no candidate in a column has the advantage or disadvantage of appearing in the same position on every ballot paper.
Roll	A list of all the people who are entitled to vote in an election.
Safe seat	A term used after counting has been completed to describe a seat where the winning candidate received more than 60% of the two party preferred vote.
Savings clause	Administrative rules which allow votes which would otherwise be ruled informal to be admitted to the count as formal votes where the voter may have made a unintentional mistake on their ballot paper.

Scrutiny	The process of checking and counting votes following the close of polling. Acceptability of votes is determined and the votes are sorted and counted to determine the outcome of the election.
Scrutineer	An individual appointed by a candidate to ensure that voting, checking, sorting and counting are done fairly and accurately.
Seat	See 'Division'.
Secret ballot	A vote made in secret.
Senate	The upper house of the federal Parliament of Australia, which has 76 Senators, 12 from each state and two from the ACT and the NT.
Silent elector	An elector whose address is not shown on the roll because they believe that having their address on the roll will place their personal safety or that of members of their family at risk.
STV	Single transferable vote – Under STV electoral systems, each elector's vote can be transferred between candidates in the order of the elector's preferences.
The territories	The Australian Capital Territory and the Northern Territory.
Third party	Third parties are individuals or organisations that participate in campaigning but who are not seeking election.
Ticket voting	Voters in multi-member electorates are given the option to adopt as their vote a preference order lodged by a particular party or group. A separate section at the top of the ballot is provided for the elector to mark a single preference. In the Australian Senate, this is also known as 'above the line' voting.
Two party preferred vote	A classification of the voters cast in a division, state or nation according to their relative preferences for the government and opposition.
Unicameral	A parliament or law-making body consisting of one chamber or house.
UN	United Nations.
Vote	The act of an elector in an election to indicate his or her choice.
Voting compartment	A small compartment or cubicle at the polling place where people fill in their voting papers in secret at elections.
VTR	Virtual Tally Room – The VTR is an internet application that provides progressively updated election results after the close of polls. The VTR is accessible to all internet users.
Writ	A document commanding an electoral officer to hold an election or referendum. The issue of a writ starts the electoral process.
YES	Youth Electoral Study.

Annex 1: Key Milestones in the Development of the Federal Electoral System

Year	Franchise (who could vote)	Voting Methods	Changes to Parliament	Commonwealth Electoral Administration
1901	State franchises applied at the first federal election (NSW, VIC, QLD, TAS men over 21 years; SA and WA men and women over 21 years).	First past the post system used. Enrolment and voting voluntary.	First federal election held under state legislation. First Parliament had 36 senators and 75 members of the House of Representatives. Commonwealth Parliament first met in Melbourne.	
1902	Most men and women over 21 years allowed to vote at federal elections. However, Aboriginal natives of Australia, Asia, Africa or the Pacific islands except New Zealand were excluded from enrolment and voting unless they already had the franchise at state level. Women over 21 years allowed to vote (NSW elections).			The Electoral Branch of the Home Affairs Department was established to conduct federal elections.
1903	Women over 21 years allowed to vote (TAS elections).			First federal elections held under federal law: 46.8% of electors voted. Electoral boundary redistributions for SA and TAS. Divisional Returning Officers conducted first election under Commonwealth law in each electoral division.
1905	Women over 21 years allowed to vote (QLD elections).			
1906		Postal voting available for the first time.		Electoral boundary redistributions for NSW, VIC, QLD and WA.
1908	Women over 21 years allowed to vote (VIC elections).	Permanent electoral rolls were established.		
1911	Enrolment became compulsory.			
1913				Electoral boundary redistributions for NSW, VIC, QLD and WA.

Year	Franchise (who could vote)	Voting Methods	Changes to Parliament	Commonwealth Electoral Administration
1915		QLD state elections became the first to have compulsory voting.		
1918		First use of preferential voting at Corangamite by-election 14.12.18.		
1919		First federal election using preferential voting 13.12.19.		
1920	Nationality Act 1920 bestowed upon British subjects 'all political and other rights' but South Sea Islanders still ineligible to vote despite being British subjects.			
1922		Grouping of names on Senate ballot papers introduced.	Northern Territory gained one Member of the House of Representatives with restricted voting rights. Queensland's Upper House, the Legislative Council, was abolished by the Theodore Labor Government.	Electoral boundary redistributions for NSW, VIC, QLD, WA, SA and TAS.
1924		Compulsory voting introduced at federal elections.		
1925	Natives of British India living in Australia allowed to vote.	Compulsory voting first used: 91.31% of electors voted.		
1927			Parliament met in Canberra for the first time.	
1934		Senate system of voting altered to require all preferences to be shown.		Electoral boundary redistributions for NSW, QLD and SA.
1937				Electoral boundary redistributions for VIC and WA.
1940		Horizontal ballot papers first used in Senate election.		

Year	Franchise (who could vote)	Voting Methods	Changes to Parliament	Commonwealth Electoral Administration
1948			The number of senators for each state was increased from 6 to 10 and the number of members of the House of Representatives correspondingly increased to 121. ACT was granted one member of the House of Representatives with restricted voting rights (<i>Representation Act 1948</i> – assented to 18 May 1948).	
1949	Aboriginal people were given the right to enrol and vote at federal elections provided they were entitled to enrol for State elections or had served in the Defence Forces (Date of Commencement 22 April 1949).	Proportional voting by the single transferable vote was introduced for Senate elections.		Industrial ballots first conducted by the Electoral Branch. Electoral boundary redistributions for NSW, VIC, QLD, WA, SA and TAS.
1955				Electoral boundary redistributions for NSW, VIC, QLD, WA, SA and TAS.
1962	All Aboriginal people became entitled to enrol and vote at federal elections and referendums (Date of Commencement 18 June 1962).			
1966			ACT Member of the House of Representatives was granted full voting rights.	
1968			NT Member of the House of Representatives was granted full voting rights.	Electoral boundary redistributions for NSW, VIC, WA, SA and TAS.
1969				Electoral boundary redistribution for QLD.
1973	The qualifying age for enrolment, voting and candidature for all federal elections was lowered from 21 years to 18.			The Australian Electoral Office was established.

Year	Franchise (who could vote)	Voting Methods	Changes to Parliament	Commonwealth Electoral Administration
1974			ACT and NT gained 2 senators each, their terms coinciding with House of Representatives terms. (Senate <i>(Representation of Territories) Act 1973</i> – Assented to 7 August 1974). ACT gains second member of the House of Representatives (with full voting rights).	Electoral boundary redistributions for WA and ACT.
1977				Electoral boundary redistributions for NSW, VIC, QLD, WA, SA and TAS. Constitution altered following referenda to permit voters in the ACT and NT to vote at future referenda, and to require Senate casual vacancies to be filled by a replacement senator from the same political party.
1978			NT granted self-government.	
1980				First election conducted for NT Legislative Assembly 7 June 1980. Electoral boundary redistribution for WA.
1983				
			The number of senators was increased from 10 to 12 per state, i.e. from 60 to 72 (total: 76 including ACT and NT). (<i>Representation Act 1983</i> – assented to 8 December 1983, commenced 21 February 1984). Consequently, the number of members of the House of Representatives was increased to 148.	
1984	Enrolment and voting for Aboriginal people became compulsory. Franchise qualification changed to Australian Citizenship. British subjects on the roll immediately before 26 January 1984 retained enrolment rights.	Group ticket voting introduced for the Senate. Party affiliation first printed on ballot papers.		The Australian Electoral Commission was created. Public funding of election campaigns and disclosure of political donations and electoral expenditure introduced. Registration of political parties introduced. Electoral boundary redistributions for NSW, VIC, QLD, WA, SA, TAS and ACT.

Year	Franchise (who could vote)	Voting Methods	Changes to Parliament	Commonwealth Electoral Administration
1989			ACT granted self-government.	First election conducted for ACT Legislative Assembly 4 March 1989. Electoral boundary redistributions for VIC and WA.
1990				First election conducted for Aboriginal and Torres Strait Islander Commission (ATSIC).
1992				AEC's mandate widened to include provision of international electoral assistance. Electoral boundary redistributions for NSW, QLD, SA, TAS and ACT.
1994				Electoral boundary redistributions for VIC, QLD and ACT.
1997				Electoral boundary redistributions for QLD, WA and ACT.
1998				The introduction of computerised scrutiny of Senate votes. A Virtual Tally Room was developed for the AEC website which provided people with up to the minute results on election night.
1999				An automated Postal Vote Issuing system was introduced. Electoral boundary redistribution for SA.
2000				Electoral boundary redistributions for NSW, WA, TAS and NT.
2003				Electoral boundary redistributions for VIC, QLD and SA.

Year	Franchise (who could vote)	Voting Methods	Changes to Parliament	Commonwealth Electoral Administration
2004	Prisoners serving a sentence of three years or more are no longer entitled to vote (<i>Electoral and Referendum Amendment (Prisoner Voting and Other Measures) Act 2004</i>).			Electoral Roll no longer sold.
2005				Electoral boundary redistribution for ACT.
2006	The <i>Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Act 2006</i> meant that prisoners serving full time sentences of less than three years were no longer entitled to vote.	The <i>Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Act 2006</i> brought about changes to electoral law relating to enrolment deadlines, proof of identity for enrolment and provisional voters, and candidate nomination fees. Political donation disclosure thresholds were also raised from \$1,500 to \$10,000 and annexed to inflation.		Electoral boundary redistributions for NSW and QLD.
2007	On 30 August, the High Court ruled that prisoners serving a full time sentence of less than three years were entitled to enrol and vote.			Electronic voting trialled at 2007 election for electors who are blind or vision impaired and Australian Defence Force personnel based in Afghanistan, East Timor, Iraq and the Solomon Islands.

Annex 2: Inter-Parliamentary Union – Declaration on Criteria for Free and Fair Elections

The Inter-Parliamentary Council,

Reaffirming the significance of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights which establish that the authority to govern shall be based on the will of the people as expressed in periodic and genuine elections,

Acknowledging and endorsing the fundamental principles relating to periodic free and fair elections that have been recognized by States in universal and regional human rights instruments, including the right of everyone to take part in the government of his or her country directly or indirectly through freely chosen representatives, to vote in such elections by secret ballot, to have an equal opportunity to become a candidate for election, and to put forward his or her political views, individually or in association with others,

Conscious of the fact that each State has the sovereign right, in accordance with the will of its people, freely to choose and develop its own political, social, economic and cultural systems without interference by other States in strict conformity with the United Nations Charter,

Wishing to promote the establishment of democratic, pluralist systems of representative government throughout the world,

Recognizing that the establishment and strengthening of democratic processes and institutions is the common responsibility of governments, the electorate and organized political forces, that periodic and genuine elections are a necessary and indispensable element of sustained efforts to protect the rights and interests of the governed and that, as a matter of practical experience, the right of everyone to take part in the government of his or her country is a crucial factor in the effective enjoyment by all of human rights and fundamental freedoms,

Welcoming the expanding role of the United Nations, the Inter-Parliamentary Union, regional organizations and parliamentary assemblies, and international and national non-governmental organizations in providing electoral assistance at the request of governments,

Therefore adopts the following Declaration on Free and Fair Elections, and **urges** Governments and Parliaments throughout the world to be guided by the principles and standards set out therein:

1. *Free and Fair Elections*

In any State the authority of the government can only derive from the will of the people as expressed in genuine, free and fair elections held at regular intervals on the basis of universal, equal and secret suffrage.

2. *Voting and Elections Rights*

- (1) Every adult citizen has the right to vote in elections, on a non-discriminatory basis.
- (2) Every adult citizen has the right to access to an effective, impartial and non-discriminatory procedure for the registration of voters.
- (3) No eligible citizen shall be denied the right to vote or disqualified from registration as a voter, otherwise than in accordance with objectively verifiable criteria prescribed by law, and provided that such measures are consistent with the State's obligations under international law.

- (4) Every individual who is denied the right to vote or to be registered as a voter shall be entitled to appeal to a jurisdiction competent to review such decisions and to correct errors promptly and effectively.
- (5) Every voter has the right to equal and effective access to a polling station in order to exercise his or her right to vote.
- (6) Every voter is entitled to exercise his or her right equally with others and to have his or her vote accorded equivalent weight to that of others.
- (7) The right to vote in secret is absolute and shall not be restricted in any manner whatsoever.

3. *Candidature, Party and Campaign Rights and Responsibilities*

- (1) Everyone has the right to take part in the government of their country and shall have an equal opportunity to become a candidate for election. The criteria for participation in government shall be determined in accordance with national constitutions and laws and shall not be inconsistent with the State's international obligations.
- (2) Everyone has the right to join, or together with others to establish, a political party or organization for the purpose of competing in an election.
- (3) Everyone individually and together with others has the right:
 - To express political opinions without interference;
 - To seek, receive and impart information and to make an informed choice;
 - To move freely within the country in order to campaign for election;
 - To campaign on an equal basis with other political parties, including the party forming the existing government.
- (4) Every candidate for election and every political party shall have an equal opportunity of access to the media, particularly the mass communications media, in order to put forward their political views.
- (5) The right of candidates to security with respect to their lives and property shall be recognized and protected.
- (6) Every individual and every political party has the right to the protection of the law and to a remedy for violation of political and electoral rights.
- (7) The above rights may only be subject to such restrictions of an exceptional nature which are in accordance with law and reasonably necessary in a democratic society in the interests of national security or public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others and provided they are consistent with States' obligations under international law. Permissible restrictions on candidature, the creation and activity of political parties and campaign rights shall not be applied so as to violate the principle of non-discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
- (8) Every individual or political party whose candidature, party or campaign rights are denied or restricted shall be entitled to appeal to a jurisdiction competent to review such decisions and to correct errors promptly and effectively.
- (9) Candidature, party and campaign rights carry responsibilities to the community. In particular, no candidate or political party shall engage in violence.
- (10) Every candidate and political party competing in an election shall respect the rights and freedoms of others.

- (11) Every candidate and political party competing in an election shall accept the outcome of a free and fair election.

4. *The Rights and Responsibilities of States*

- (1) States should take the necessary legislative steps and other measures, in accordance with their constitutional processes, to guarantee the rights and institutional framework for periodic and genuine, free and fair elections, in accordance with their obligations under international law. In particular, States should:
- Establish an effective, impartial and non-discriminatory procedure for the registration of voters;
 - Establish clear criteria for the registration of voters, such as age, citizenship and residence, and ensure that such provisions are applied without distinction of any kind;
 - Provide for the formation and free functioning of political parties, possibly regulate the funding of political parties and electoral campaigns, ensure the separation of party and State, and establish the conditions for competition in legislative elections on an equitable basis;
 - Initiate or facilitate national programmes of civic education, to ensure that the population are familiar with election procedures and issues;
- (2) In addition, States should take the necessary policy and institutional steps to ensure the progressive achievement and consolidation of democratic goals, including through the establishment of a neutral, impartial or balanced mechanism for the management of elections. In so doing, they should, among other matters:
- Ensure that those responsible for the various aspects of the election are trained and act impartially, and that coherent voting procedures are established and made known to the voting public;
 - Ensure the registration of voters, updating of electoral rolls and balloting procedures, with the assistance of national and international observers as appropriate;
 - Encourage parties, candidates and the media to accept and adopt a Code of Conduct to govern the election campaign and the polling period;
 - Ensure the integrity of the ballot through appropriate measures to prevent multiple voting or voting by those not entitled thereto;
 - Ensure the integrity of the process for counting votes.
- (3) States shall respect and ensure the human rights of all individuals within their territory and subject to their jurisdiction. In time of elections, the State and its organs should therefore ensure :
- That freedom of movement, assembly, association and expression are respected, particularly in the context of political rallies and meetings;
 - That parties and candidates are free to communicate their views to the electorate, and that they enjoy equality of access to State and public-service media;
 - That the necessary steps are taken to guarantee non-partisan coverage in State and public-service media.
- (4) In order that elections shall be fair, States should take the necessary measures to ensure that parties and candidates enjoy reasonable opportunities to present their electoral platform.
- (5) States should take all necessary and appropriate measures to ensure that the principle of the secret ballot is respected, and that voters are able to cast their ballots freely, without fear or intimidation.

- (6) Furthermore, State authorities should ensure that the ballot is conducted so as to avoid fraud or other illegality, that the security and the integrity of the process is maintained, and that ballot counting is undertaken by trained personnel, subject to monitoring and/or impartial verification.
- (7) States should take all necessary and appropriate measures to ensure the transparency of the entire electoral process including, for example, through the presence of party agents and duly accredited observers.
- (8) States should take the necessary measures to ensure that parties, candidates and supporters enjoy equal security, and that State authorities take the necessary steps to prevent electoral violence.
- (9) States should ensure that violations of human rights and complaints relating to the electoral process are determined promptly within the timeframe of the electoral process and effectively by an independent and impartial authority, such as an electoral commission or the courts.

Annex 3: Key Elements of Commonwealth, State and Territory Franchise Arrangements

	Jurisdictions	
Requirement for citizenship?	Yes	All
Allows certain 'British subjects' to vote	<p>If names were on roll as at 25 January 1984</p> <p>If names were on a state or Commonwealth roll within the period 26 October 1983 and 25 January 1984</p> <p>If names were on roll as at 25 January 1984, or eligible for the Queensland State electoral roll on 31 December 1991</p>	<p>Commonwealth, New South Wales, Victoria, Tasmania, Australian Capital Territory, Northern Territory</p> <p>Western Australia, South Australia</p> <p>Queensland</p>
Prisoners excluded when serving...	<p>Any sentence of imprisonment</p> <p>Twelve months or more</p> <p>Three years or more</p> <p>Five years or more</p> <p>No exclusion for prisoners</p>	<p>Queensland, Western Australia</p> <p>New South Wales</p> <p>Commonwealth, Tasmania, Northern Territory</p> <p>Victoria</p> <p>South Australia, Australian Capital Territory</p>
Persons of unsound mind excluded?	Yes	All
Australians living abroad...	<p>may enrol to vote as an 'eligible overseas elector' within three years of leaving Australia, if they intend to resume living in Australia within six years of leaving. Enrolment under this provision is initially granted for a period of six years.¹¹⁶⁹</p>	<p>All states and territories provide that an elector may remain on the roll and vote if he/she maintains his/her enrolment as an 'eligible overseas elector' under the <i>Commonwealth Electoral Act 1918</i>.</p>

¹¹⁶⁹ If an 'eligible overseas elector' will not be returning to Australia at the end of the 6 year period, but he/she maintains an intention to resume living in Australia, his/her 'eligible overseas elector status may be extended on an annual basis.

Annex 4: Key Elements of the Franchise in Canada, New Zealand and the United Kingdom


	QUALIFICATIONS FOR THE FRANCHISE		
	Canada	New Zealand	United Kingdom
Compulsory voting	No.	No.	No.
Minimum voting age	18.	18.	18.
Citizenship as sole criteria	Yes.	No, see below.	No, see below. Categories of citizens who may vote are: <ul style="list-style-type: none"> • UK and Republic of Ireland citizens; • British National (Overseas) (BN(O)) citizens, British Overseas (BO) citizens, and British Dependent Territories (BDT) citizens (eligible to vote when resident in the UK); & • British Crown Dependencies (BCD) citizens (eligible to vote when resident in the UK).
Certain non-citizen residents	There is no provision for non-citizen residents to vote in federal elections.	New Zealand Permanent Residents; and Australian Citizens or Permanent Residents (who are exempt from the requirement to obtain a NZ Permanent Resident visa or permit).	'Qualifying' Commonwealth citizens (as defined in s 4(6) Representation of the People Act 1983) who are residents are permitted to vote.
Period of residence	Not applicable.	Yes, a person must have resided continuously in NZ for a period of not less than 1 year.	Not applicable.
Overseas electors	Canadian citizens who have not been resident in Canada for a period greater than 5 years are not entitled to vote in federal elections.	NZ citizens must have left or revisited NZ within the previous three years to maintain eligibility to enrol. Non-citizen residents must have left or revisited NZ within previous 12 months to maintain eligibility to enrol.	British citizens may vote if registered in the UK during the previous 15 years. BN(O), BO, BDT and BCD citizens are not permitted to register as overseas electors.
Other	Members of the Canadian Forces, federal and provincial public servants posted outside of Canada, Canadian citizens employed by an international organization of which Canada is a member, and incarcerated electors may all vote in federal elections.	NZ Defence Force personnel and public servants serving overseas (and their dependants) are exempt from the above-noted time limits on overseas electors.	There are special provisions for merchant seamen and members of the armed forces.

DISQUALIFICATIONS FROM THE FRANCHISE		
	Canada	United Kingdom
Criminal penalty:		
Criminal conviction	Not applicable. ¹¹⁷⁰	Those convicted of corrupt or illegal electoral practices are disqualified from voting for five years (for corrupt electoral practices) or three years (for illegal electoral practices). For other convictions, see below.
Custodial sentence	Not applicable.	Prisoners serving a custodial sentence of any length are not permitted to vote. ¹¹⁷¹
Other Detention	Not applicable.	Offenders who are detained in a mental hospital pursuant to certain statutory provisions are not permitted to vote.
Mental capacity	Not applicable.	Not a disqualification per se.
Employment	Only the Chief Electoral Officer and the Assistant Chief Electoral Officer may not vote in federal elections.	Members of the House of Lords may not vote.


¹¹⁷⁰ While the *Canada Elections Act* specifies that persons serving a sentence of 2 years or more (para. 4(c)) (ie. those imprisoned in a federal correctional institution) are not entitled to vote in federal elections, this section was struck down by the Supreme Court of Canada in 2002. As such, there is no longer a disenfranchisement from voting for incarcerated Canadian citizens. As the Act has not been amended to remove this provision, since 2002 the Chief Electoral Officer has used his power of adaptation at each election to allow electors incarcerated in federal correctional institutions to vote.

¹¹⁷¹ This provision has been found by the European Court of Human Rights to be incompatible with the Human Rights Act.

Annex 5: House of Representatives Sample Ballot Paper




BALLOT PAPER
HOUSE OF
REPRESENTATIVES
YOUR STATE
ELECTORAL DIVISION OF
YOUR ELECTORATE



***Number the boxes
from 1 to 8 in the
order of your choice.***

<div style="border: 1px solid black; padding: 5px; width: 30px; margin: 0 auto;">6</div>	Candidate A <small>POLITICAL PARTY</small>
<div style="border: 1px solid black; padding: 5px; width: 30px; margin: 0 auto;">3</div>	Candidate B <small>INDEPENDENT</small>
<div style="border: 1px solid black; padding: 5px; width: 30px; margin: 0 auto;">5</div>	Candidate C <small>POLITICAL PARTY</small>
<div style="border: 1px solid black; padding: 5px; width: 30px; margin: 0 auto;">1</div>	Candidate D <small>POLITICAL PARTY</small>
<div style="border: 1px solid black; padding: 5px; width: 30px; margin: 0 auto;">8</div>	Candidate E <small>POLITICAL PARTY</small>
<div style="border: 1px solid black; padding: 5px; width: 30px; margin: 0 auto;">2</div>	Candidate F <small>POLITICAL PARTY</small>
<div style="border: 1px solid black; padding: 5px; width: 30px; margin: 0 auto;">4</div>	Candidate G
<div style="border: 1px solid black; padding: 5px; width: 30px; margin: 0 auto;">7</div>	Candidate H <small>POLITICAL PARTY</small>


**Remember...number every
box to make your vote count**




AEC
Australian Electoral Commission

SAMPLE

Annex 6: Senate Sample Ballot Papers



SENATE BALLOT PAPER
YOUR STATE 2007
ELECTION OF 6 SENATORS



You may vote in one of two ways

either


By placing the single figure 1 in one and only one of these squares to indicate the voting ticket you wish to adopt as your vote

A <input type="checkbox"/> PARTY A	or	B <input type="checkbox" value="1"/> PARTY B	or	C <input type="checkbox"/> PARTY C	or	D <input type="checkbox"/>
--	----	--	----	--	----	-------------------------------


or

By placing the numbers 1 to 9 in the order of your preference


A PARTY A	B PARTY B	C PARTY C	D	E
<input type="checkbox"/> CANDIDATE A Given Names POLITICAL PARTY	<input type="checkbox"/> CANDIDATE C Given Names POLITICAL PARTY	<input type="checkbox"/> CANDIDATE E Given Names POLITICAL PARTY	<input type="checkbox"/> CANDIDATE G Given Names POLITICAL PARTY	<input type="checkbox"/> CANDIDATE I Given Names INDEPENDENT
<input type="checkbox"/> CANDIDATE B Given Names POLITICAL PARTY	<input type="checkbox"/> CANDIDATE D Given Names POLITICAL PARTY	<input type="checkbox"/> CANDIDATE F Given Names POLITICAL PARTY	<input type="checkbox"/> CANDIDATE H Given Names POLITICAL PARTY	



SAMPLE



SENATE BALLOT PAPER
YOUR STATE 2007
ELECTION OF 6 SENATORS



You may vote in one of two ways

either


By placing the single figure 1 in one and only one of these squares to indicate the voting ticket you wish to adopt as your vote

A <input type="checkbox"/> PARTY A	or	B <input type="checkbox"/> PARTY B	or	C <input type="checkbox"/> PARTY C	or	D <input type="checkbox"/>
--	----	--	----	--	----	-------------------------------

or

By placing the numbers 1 to 9 in the order of your preference

A PARTY A	B PARTY B	C PARTY C	D	E
<input type="checkbox" value="5"/> CANDIDATE A Given Names POLITICAL PARTY	<input type="checkbox" value="1"/> CANDIDATE C Given Names POLITICAL PARTY	<input type="checkbox" value="8"/> CANDIDATE E Given Names POLITICAL PARTY	<input type="checkbox" value="4"/> CANDIDATE G Given Names POLITICAL PARTY	<input type="checkbox" value="3"/> CANDIDATE I Given Names INDEPENDENT
<input type="checkbox" value="9"/> CANDIDATE B Given Names POLITICAL PARTY	<input type="checkbox" value="7"/> CANDIDATE D Given Names POLITICAL PARTY	<input type="checkbox" value="2"/> CANDIDATE F Given Names POLITICAL PARTY	<input type="checkbox" value="6"/> CANDIDATE H Given Names POLITICAL PARTY	



SAMPLE

Annex 7: Key Characteristics of Voting Systems for Australian Lower and Upper Houses¹¹⁷²

KEY CHARACTERISTICS OF VOTING SYSTEMS FOR AUSTRALIAN LOWER HOUSES									
Characteristic	Commonwealth	NSW	Victoria	Queensland	WA	SA	Tasmania	ACT	NT
Name of Lower House	House of Representatives	Legislative Assembly	Legislative Assembly	Legislative Assembly	Legislative Assembly	House of Assembly	House of Assembly	Legislative Assembly	Legislative Assembly
No. of vacancies per electorate	1	1	1	1	1	1	5	5 or 7	1
Ballot Paper Design	Down = candidate names as determined by random draw	Down = candidate names as determined by random draw	Down = candidate names as determined by random draw	Down = candidate names as determined by random draw	Down = candidate names as determined by random draw	Down = candidate names as determined by random draw The Electoral Commissioner may elect to have photos appear beside candidate names	Across = party groupings as determined by random draw Down = candidate names (by rotation)	Across = party groupings as determined by random draw Down = candidate names (by rotation)	Down = candidate names as determined by random draw Photos appear beside candidate names
Preferences required to be shown	Full preferential voting Minimum = no. of candidates	Optional preferential voting Minimum = 1	Full preferential voting Minimum = no. of candidates	Optional preferential voting Minimum = 1	Full preferential voting Minimum = no. of candidates	Full preferential voting Minimum = no. of candidates	Partial preferential voting Minimum = no. of vacancies	Partial preferential voting ¹¹⁷³ Minimum = no. of vacancies	Full preferential voting Minimum = no. of candidates
Formula used to elect candidates	Majority	Majority	Majority	Majority	Majority	Majority	Quota (proportion)	Quota (proportion)	Majority
Method for filling casual vacancies	By-election	By-election	By-election	By-election	By-election	By-election	Count back ¹¹⁷⁴	Count back ¹¹⁷⁵	By-election

¹¹⁷² These tables are based on D M Farrell and J McAllister, *op. cit.*, Table 3.3, p. 53 and Table 3.4, pp. 60 and 61.

¹¹⁷³ Section 132(2) of the *Electoral Act 1992* (ACT) directs that voters must rank order as many candidates as there are vacancies. Formality rules, as provided for in section 180, enable a vote which expresses a first preference to be treated as formal.

¹¹⁷⁴ The conduct of a count back or recount (if required) varies slightly between jurisdictions. For the ACT Legislative Assembly and Tasmanian House of Assembly, the votes that elected the vacating representative are counted again to determine the next most favoured candidate. For the Western Australian Legislative Council (see next table), the re-count uses all the ballot papers used in the counting of votes at the original election.

¹¹⁷⁵ *Ibid.*

KEY CHARACTERISTICS OF VOTING SYSTEMS FOR AUSTRALIAN UPPER HOUSES ¹¹⁷⁶					
Characteristic	Commonwealth	NSW	Victoria	WA	Tasmania
Name of Upper House	Senate	Legislative Council	Legislative Council	Legislative Council	Legislative Council
No. of vacancies per division	2 or 6-12 ¹¹⁷⁷	21	5	5-7	1
No. of divisions	8 (one for each state and territory)	1	8	6	15
Ballot Paper Design	Across = party groupings as determined by random draw Down = candidate name order determined by party choice	Across = party groupings as determined by random draw Down = candidate name order determined by party choice	Across = party groupings as determined by random draw Down = candidate names arranged in columns as determined by party choice	Left = party groupings as determined by random draw Right = candidate names arranged in columns as determined by party choice	Across = party groupings as determined by random draw Down = candidate name order determined by party choice
Preferences required to be shown	Ticket, or full preferential voting Minimum Ticket vote = 1 only Non-ticket = no. of candidates	Optional preferential ticket, or partial preferential voting Minimum Ticket vote = 1 ¹¹⁷⁸ Non-ticket = 15	Ticket, or partial preferential voting Minimum Ticket vote = 1 only Non-ticket = no. of vacancies	Ticket, or full preferential voting Minimum Ticket vote = 1 only Non-ticket = no. of candidates	Partial preferential voting Minimum = 3
Formula used to elect candidates	Quota (proportion)	Quota (proportion)	Quota (proportion)	Quota (proportion)	Majority
Method for filling casual vacancies	State parliament selects someone from same party	Joint sitting selects someone from same party	Joint sitting selects someone from same party	Count back ¹¹⁷⁹	By-election

¹¹⁷⁶ Queensland, the ACT and NT have unicameral legislatures, so do not have upper houses.

¹¹⁷⁷ The ACT and NT elect two senators each at each election. Other states will elect 6 senators at a half-election or 12 senators at full or double-dissolution election.

¹¹⁷⁸ When voting above the line, voters can rank parties in order (optional preferential ticket voting). Voters who place in figure 1 in a group square above the line are taken only to have expressed preferences for the candidates in that group, in the order in which they appear within the group on the ballot paper. Voters have the option of placing the numbers 2, 3 and so on in other group squares, and if they do so, they are deemed to have expressed subsequent preferences for the candidates of the relevant groups, again in the order within the group in which the candidates appear on the ballot paper.

¹¹⁷⁹ See footnote 1174.

Annex 8: Key Formality Requirements for Numbering of Ballot Papers in Elections for Australian Lower Houses

KEY FORMALITY REQUIREMENTS FOR ELECTIONS FOR AUSTRALIAN LOWER HOUSES									
Characteristic	Commonwealth	NSW	Victoria	Queensland	WA	SA	Tasmania	ACT	NT
Preferential system used	Full preferential	Optional preferential	Full preferential	Optional preferential	Full preferential	Full preferential	Partial preferential	Partial preferential	Full preferential
Minimum no. of preferences required to be shown	No. of candidates	1	No. of candidates	1	No. of candidates	No. of candidates	No. of vacancies (5)	No. of vacancies (5 or 7)	No. of candidates
Tick or cross acceptable as a first preference	No	Yes	Yes	Yes	Not explicitly provided for	Yes	No	No	No
Provisions that could 'save' votes not marked in accordance with ballot paper instructions	One square (representing the last preference) may be left blank.	Not applicable.	One square (representing the last preference) may be left blank.	Not applicable.	One square (representing the last preference) may be left blank. Candidates may register a voting ticket. Ballot papers with only one preference, or a first preference and further consecutive preferences that are consistent with a candidate's registered voting ticket, will be taken to have been marked in accordance with that voting ticket.	One square (representing the last preference) may be left blank. Candidates may register a voting ticket. Ballot papers with only one preference, or a first preference and further consecutive preferences that are consistent with a candidate's registered voting ticket, will be taken to have been marked in accordance with that voting ticket. Where a ballot paper has not been marked as required but the voter's intention is clear, the ballot paper is not informal and will be counted.	A ballot paper is not to be treated as informal if, in the opinion of the returning officer, the elector's intention is clearly indicated on the ballot paper.	A ballot paper is formal if it includes a unique first preference.	One square (representing the last preference) may be left blank.

Annex 9: Key Elements of Commonwealth, State and Territory Party Registration Systems

Jurisdiction	Minimum no. of members	Method for verifying 'memberships'	Review of the register	Requirements for party constitution	Application fee	Criteria for party names
Commonwealth	500 (for non-parliamentary parties)	Members must be eligible to enrol; AEC cross-references with electoral roll, and verifies through contacting a random sample of nominated members.	No legislative requirement, but AEC reviews once in the life of each Parliament.	Constitution must set out 'the aims of the party'; copy must be provided with application.	\$500	Registration refused if name is obscene, more than six words, closely resembles another party name, comprises the words 'Independent Party', or contains the word 'Independent' together with the name of an unrelated registered party.
NSW	750	Members must be on the electoral roll; applications for party registration must be accompanied by individual declarations completed by each of the 750 members upon whom the party intends to rely upon for registration.	Must be registered 12 months before election. Registered political parties must provide annual proof of continued eligibility.	Copy must be provided with application; must set out platform or objectives of party and terms and conditions of party membership.	\$2000	Registration refused if name more than six words, obscene or offensive, closely resembles another party name, includes the word 'independent'.
Victoria	500	Members must be on the Victorian electoral roll; membership verified on the basis of a statutory declaration of party Secretary.	Need to re-register once during the term of each Parliament. Victorian Electoral Commission will check membership of party, and must review all registered parties that do not receive more than 4% of first preference votes.	Must include rules as to membership of party, copy must be provided with application.	\$584.40 (50 fee units)	Registration refused if name comprises more than 6 words, is obscene, is not a proper abbreviation of the name of the political party, is the name of another registered political party, or so nearly resembles the name of another registered political party that it is likely to be confused with, or mistaken for, that name. Registration refused if name comprises the words "Independent Party", or comprises or contains the word "Independent" and: the name of a registered political party, or matter that so nearly resembles the name of a registered political party that the matter is likely to be confused with, or mistaken for, that name.

Jurisdiction	Minimum no. of members	Method for verifying 'membership'	Review of the register	Requirements for party constitution	Application fee	Criteria for party names
Queensland	500 (for non-parliamentary parties)	Members must be on the electoral roll. The Electoral Commission Queensland checks members against the electoral roll. If at least 500 members are identified on the electoral roll, the Commission writes to those members identified and asks them to confirm their membership of the party in writing.	Rolling review – registered party can expect to be reviewed at approximately 3 year intervals.	Must be a 'complying constitution' as defined in the <i>Electoral Act 1992</i> , including application of general principles of free and democratic elections.	Nil	Registration refused if name more than six words, obscene or offensive, closely resembles another party name, would cause confusion, includes the word 'independent'.
WA	500	The WA Electoral Commission conducts random surveys to verify membership. It is possible that members may be asked to confirm that they signed the form.	No review requirement.	Copy must be provided with application. Must specify as one of its objects or activities the promotion of the election to the Parliament of the State of a candidate or endorsed candidates.	Nil	Registration refused if name more than six words, obscene or offensive, closely resembles another party name, would cause confusion, includes words 'royal' or 'independent'.
SA	150 (for non-parliamentary parties)	(no information available)	No review requirement.	Copy must be provided with application. No formal requirements.	Nil	Must not comprise more than 6 words, be obscene, or nearly resemble the name or abbreviation of another political party.
Tasmania	100	Each of the 100 members upon whom the party is relying upon for registration must provide a statutory declaration that they are a member of the party. The Tasmanian Electoral Commission publishes the names and addresses of these members in the <i>Government Gazette</i> (with notice of the party's application for registration); this notice states that objections to registration may be lodged with the Commission.	Can be reviewed by Tasmanian Electoral Commission (not more than once annually).	Not required.	Nil	Cannot be name of existing party, be more than 6 words long, or includes the word 'independent'.

Jurisdiction	Minimum no. of members	Method for verifying 'membership'	Review of the register	Requirements for party constitution	Application fee	Criteria for party names
ACT	100	Members must be enrolled to vote in the ACT at the time the party applied for registration. The ACT Electoral Commission conducts random surveys to verify membership.	No legislative review process. The ACT Electoral Commission reviews each registered party once in the life of each parliament.	Constitution must include functions and/or objectives of the party, party's decision making processes, office bearers of the party, account keeping practices, a mechanism for changing the constitution.	Nil	Registration refused if name: is more than 6 words; is obscene; is the name or acronym of an already registered party; nearly resembles another party name so that it is likely to be confused with or mistaken for it; consists of the word 'independent' only or the words 'independent party' only; consists of the word 'independent' and the name of another party or a name likely to be confused with another party, or includes the name of a living person without their written consent.
NT	200, or registered under Commonwealth Electoral Act	Members must be on the electoral roll for an address in the NT. Commission writes to members requesting confirmation of membership in writing.	Register reviewed on regular basis.	Copy must be provided with application. No formal requirements.	\$500	Registration refused if name more than six words, obscene or offensive, closely resembles another party name, would cause confusion, includes words 'independent', includes name of living person without their written consent.

Annex 10: Key Elements of Commonwealth, State and Territory Candidate Nomination Systems

Jurisdiction	Candidate Eligibility	Exclusions	Nomination deposit	Nomination process
Commonwealth	Must be at least 18 years old, an Australian citizen, and an elector (or person qualified to be an elector).	Members of a state or territory parliament, a citizen or subject of a foreign power; person serving a prison sentence of 12 months or more; undischarged bankrupts; persons holding an office of profit under the Crown; permanent members of the Australian Defence Force.	Senate – \$1000; House of Representatives – \$500. Deposits returned if candidate gains more than 4% of total first preference votes, or if candidate is in a group of Senate candidates which polls at least 4% of total first preference votes.	Can be nominated by registered political party or by 50 electors within the relevant division.
NSW	Any person enrolled in NSW may nominate as a candidate.	Members of one house ineligible for election to the other; Commonwealth Parliamentarians ineligible.	\$250, returned if candidate elected, receives at least 4% of total first preference votes, dies before the date of the election; or withdraws nomination before close of nominations.	Can be nominated by registered political party or by 15 electors enrolled for the district to be contested. Candidates must complete 'child related conduct declaration', declaring serious child sex offences (those punishable by more than 12 months imprisonment) and any apprehended violence orders issued against them. Declarations will be made public before election – false declarations will lead to candidate being disqualified.
Victoria	Must be at least 18 years old, Victorian resident; enrolled as an elector, and Australian citizen or British subject on either a Victorian or Commonwealth electoral roll between 26 October 1983 and 25 January 1984 inclusive.	Judges of a court of Victoria, persons guilty of an indictable offence punishable by imprisonment for five years or more (offence must be adult offence and can be under law of Victoria or any other part of the British Commonwealth of Nations), undischarged bankrupts; member of Commonwealth Parliament.	\$350, returned if candidate elected, receives at least 4% of total first preference votes, dies before the date of the election; or withdraws nomination before close of nominations, election fails.	A candidate can nominate for election with the endorsement of the registered officer of a political party. If not endorsed by a political party: a candidate for a Legislative Assembly election can be nominated by 6 persons entitled to vote at the election for which the candidate is nominated; and a candidate for a Legislative Council election can be nominated by 50 persons entitled to vote at the election for which the candidate is nominated.

Jurisdiction	Candidate Eligibility	Exclusions	Nomination deposit	Nomination process
Queensland	Must be Australian citizen on Old electoral roll.	Holders of judicial office in any state or at Commonwealth level; persons convicted of treason, sedition or sabotage; undischarged bankrupts; Governor-General, or head of government of a state; persons subject to a term of imprisonment or detention; persons convicted within 2 years of any offence and sentenced to more than one year imprisonment; persons convicted within 7 years of certain serious offences; persons convicted within 10 years of certain electoral offences.	\$250, returned if candidate elected, receives at least 4% of total first preference votes; or withdraws nomination before close of nominations.	Can be nominated by registered political party or by at least 6 electors enrolled for the district to be contested (none of whom has previously nominated a candidate for the election).
WA	Must have resided in WA for one year; must be 18; must not be subject to any legal incapacity; must be an elector entitled to vote in WA; must be an Australian citizen.	Undischarged bankrupts; persons convicted of indictable offence with penalty including imprisonment of more than five years; persons attainted of treason; persons yet to serve or serving a period of imprisonment or detention; mentally impaired persons; holders of specified senior public offices; members of the Commonwealth Parliament or other state/territory parliaments; members of other House of WA Parliament.	\$250, returned if candidate elected, receives at least 4% of total first preference votes; or dies before polling day.	Can be nominated by party or individually – no formal requirements.
SA	Must be 18 years old; of sound mind; Australian citizen or British subject who was on either a South Australian, Commonwealth or Territory roll between 26 October 1983 and 25 January 1984 inclusive; must be resident of SA and have lived at enrolled residence for one month immediately preceding enrolment.	Members of the other House of SA Parliament, judges of any Court of the State, members of the Commonwealth Parliament.	\$450, returned if candidate elected, receives at least 4% of total first preference votes; withdraws nomination before close of nominations, dies before polling day, or election fails or is declared void.	Can be nominated by registered political party or by at least two electors enrolled for the district to be contested.

Jurisdiction	Candidate Eligibility	Exclusions	Nomination deposit	Nomination process
Tasmania	Must be an elector, or entitled to be an elector; must have resided in Tasmania for 5 years at any one time; or resided in Tasmania for 2 years immediately preceding nomination.	Members of alternative Tasmanian House of Parliament, candidate for other position in Parliament, members of Commonwealth Parliament.	\$400, returned if candidate elected; obtained a number of votes not less than 20% of a quota at any stage of the vote count, withdraws nomination before close, or dies before polling day.	Can be nominated by party, or by at least 10 electors enrolled for the division to be contested. Candidates can also nominate to appear in a group (not registered party) if they are nominated by at least 100 electors enrolled within the division.
ACT	Must be an Australian citizen; 18 years of age; and an elector or entitled to be an elector.	Members of Commonwealth Parliament or another state/territory Parliament; persons appointed or employed (with remuneration or allowance) under a Commonwealth, state or territory law; persons serving a sentence of imprisonment for one year or longer; persons who, within the previous two years, have been convicted of specific electoral offences.	\$250, returned if candidate elected, at the time when candidate is excluded during the counting of preferences, the candidate's total votes equal or exceed 20% of quota; or if candidate is neither elected nor excluded during the counting of preferences, and the candidate's total votes equal or exceed 20% of the quota for the election at any stage of the count.	Can be nominated by party, or by at least 20 electors entitled to vote for the electorate in which candidate is being nominated.
NT	Must be an Australian Citizen; 18 years of age, entitled, or qualified to become entitled, to be an elector; and must be a resident within Australia for at least 6 months and within Territory for at least 3 months.	Persons holding an office or appointment under a Commonwealth, state or territory law (where entitled to remuneration or allowance); persons undischarged bankrupts; persons convicted and sentenced to imprisonment for one year or longer.	\$200, returned if candidate elected; obtains a total number of first preference votes of more than one-fifth of the total of first preference votes polled by the elected candidate; or withdraws nomination before close of nominations.	Can be nominated by party or not less than 6 persons entitled to vote at the election in the division for which the nominee is nominated. Candidate photo must be provided.

Annex 11: Comparison of Maximum Penalties for Certain Commonwealth, State and Territory Electoral Offences¹¹⁸⁰

Jurisdiction	Commonwealth	NSW	Victoria	Queensland	WA	SA	Tasmania	ACT	NT
Electoral Legislation	Commonwealth Electoral Act 1918	Parliamentary Electorates and Elections Act 1912	Electoral Act 2002	Electoral Act 1992	Electoral Act 1907	Electoral Act 1985	Electoral Act 2004	Electoral Act 1992	Electoral Act 2004
Failure to vote	\$20 on penalty notice, otherwise \$50 (s.245)	\$25 on penalty notice (s.120C), otherwise \$55 (s.120F)	\$56.71 on infringement notice, otherwise \$113.42 (s.166)	\$100 (s.164)	\$20 if first offence, otherwise \$50 (s.156(8))	\$10 on expiation notice, otherwise \$50 (s.85)	\$24 on penalty notice (s.157) otherwise \$120 (s.181)	\$20 on penalty notice, otherwise \$50 (s.129)	\$110 (s.279)
Failure to enrol	\$110 (s.101(6))	\$55 (s.34(5))	\$113.42 (s.23)	\$100 (s.150)	\$50 (s.45)	Initial enrolment not compulsory. \$75 penalty for failing to transfer enrolment (s.32)	\$120 (s.180)	\$50 (s.73)	n/a
Misuse of electoral roll information	\$110,000 (s.91B)	\$110,000 (ss.31E, 31F)	\$68,052 (natural person); or \$340,260 (body corporate) (s.36)	\$2,000 or 6 months imprisonment (s.152)	\$1,000 (s.25D)	\$1,250 (s.27A – failure to comply with conditions of release or failure of roll information)	\$12,000; or 3 months imprisonment (s.166)	\$5,000, 6 months imprisonment, or both (natural person), \$25,000 (body corporate) (s.63)	\$44,000 or 2 years imprisonment (natural person), \$220,000 (body corporate) (s.14)

¹¹⁸⁰ Penalty amounts have been calculated from jurisdictional 'penalty unit' values as at 1 June 2009 where relevant.

Jurisdiction	Commonwealth	NSW	Victoria	Queensland	WA	SA	Tasmania	ACT	NT
Bribery	\$5,000; or 2 years imprisonment (s.326). Person convicted of bribery incapable of sitting as a member of Parliament for 2 years (s.386)	\$11,000 or 3 years imprisonment or both (s.147)	\$68,052 or 5 years imprisonment (s.151)	"Interfering with election right or duty": \$2,000 or 6 months imprisonment (s.158). Bribery: 7 years imprisonment (s. 98B of the Criminal Code 1899)	Bribery relating to early voting: 2 years imprisonment, otherwise 12 months imprisonment (s.188). Person convicted of bribery incapable of sitting as a member of Parliament for 2 years (s.186)	7 years imprisonment (s.109)	\$12,000, or 2 years imprisonment (s.187)	\$5,000, 6 months imprisonment, or both (natural person), \$25,000 (body corporate) (s.285)	"Improperly influencing voters" – \$22,000 or imprisonment for 12 months (natural person), \$110,000 (body corporate) (s.266)
Interference with political liberty	\$1,000 or 6 months imprisonment or both (s.327)	"Intimidation": \$11,000 or 3 years imprisonment, or both (s.151)	\$68,052 or 5 years imprisonment (s.152)	"Interfering with election right or duty": \$2,000 or 6 months imprisonment (s.158). Influencing voting": 2 years imprisonment (s.98E of the Criminal Code 1899)	\$1,000 (s.199A)	1 year imprisonment (s.111)	"Electoral intimidation": \$120,000 or 5 years imprisonment (s.189)	"Violence and intimidation": \$5,000, 6 months imprisonment or both (s.288)	"Interfering with election right or duty": \$44,000 or 2 years imprisonment (natural person); \$220,000 (body corporate) (s.264)

Jurisdiction	Common-wealth	NSW	Victoria	Queensland	WA	SA	Tasmania	ACT	NT
Canvassing near booth	\$500 (s.340); \$550 if canvassing audible within booth (s.340)	\$550 (s.151H)	\$567.10, or \$113.42 if canvassing within 400m using loudspeakers or making public demonstration (s.158)	\$1,000 (s.166)	\$1,000 (ss.190,192)	\$750 (s.125)	\$1,200 (s.177). Distributing voting material on election day is also prohibited: \$12,000 or 3 months imprisonment (s.198)	\$500 (s.303)	\$2,200 (s.275)
Unauthorised political advertising	\$1,000 (natural person), \$5,000 (body corporate) (s.328). Unauthorised political advertising on internet: \$1,100 (s.328A)	\$550 or 6 months imprisonment (s.151E). Distributing unregistered material on polling day: \$1,100 or 6 months imprisonment (s151F)	\$1,134.20 (natural person), or \$5,671 (body corporate) (s.83)	\$2,000 (natural person) or \$8,500 (body corporate) (s.161)	\$1,000 (s.190)	\$1,250 (natural person); \$5,000 (body corporate) (s.112)	\$12,000, or 3 months imprisonment (s.191)	\$1,000 (natural person), \$5,000 (body corporate) (s.292)	\$11,000 (natural person), \$55,000 (body corporate) (s.270)

