



ELECTORAL AND ADMINISTRATIVE REVIEW COMMISSION

REPORT

ON

QUEENSLAND JOINT ELECTORAL ROLL REVIEW

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PREVIOUS EARC REPORTS

90/R1 Registrable Interests of Members of the Legislative Assembly (August 1990)

90/R2 Local Authority Electoral System of Queensland (September 1990)

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QUEENSLAND ELECTORAL ROLL REVIEW

SUMMARY

The Electoral and Administrative Review Commission (EARC) is required under the Electoral and Administrative Review Act 1989-90 (the Act) to investigate the compilation of electoral rolls of the electors of each electoral district. This requirement arose out of a recommendation of the Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct (Fitzgerald Inquiry 1989), which stated that a review should be undertaken *"to ensure that more effective means are developed to guarantee the accuracy of electoral rolls"* (Fitzgerald Report 1989, p. 127)

In discharging its responsibility the Commission has focused its attention on whether Queensland should either maintain a separate Electoral Roll or enter a Joint Electoral Roll Arrangement with the Commonwealth, and if so what the nature of that Arrangement should be. This focus has been chosen because of criticisms of the condition of the State Electoral Roll and claims that the Commonwealth Electoral Roll is more accurate. Maintenance of a Queensland Electoral Roll has also been criticised as an unnecessary and costly duplication of a function already performed in other States (except in Tasmania for the Legislative Council roll) by the Australian Electoral Commission (AEC).

This report seeks to investigate the merits of these claims and make recommendations on future arrangements for an Electoral Roll which is suitable for the conduct of Queensland Legislative Assembly and Local Government elections, and for the additional administrative uses to which the Electoral Roll is put.

The criteria used by the Commission to assess the Joint Electoral Roll question were:

- (a) integrity of the roll database;
- (b) costs to Queensland;
- (c) public perceptions and convenience; and
- (d) support for Queensland's administrative needs.

Major Issues

During its investigations, the following issues, which are treated separately in this report, were identified by EARC as the major considerations to determine whether Queensland should enter into a Joint Electoral Roll Arrangement with the Commonwealth:

- (a) differing enrolment eligibility criteria for Australian Citizens and British Subjects for Commonwealth and State Rolls, and other eligibility requirements;
- (b) other State systems supported by the SEO;
- (c) capacity of the Commonwealth to meet Queensland needs;
- (d) relative costs of separate and Joint Electoral Rolls;
- (e) managing the introduction of a Joint Electoral Roll;
- (f) problems reported in other States with Joint Electoral Roll Arrangements; and
- (g) relative accuracy of the State and Federal rolls.

Conclusion and Recommendations

The Commission has concluded that a Joint Electoral Roll Arrangement should be negotiated with the Commonwealth for the reasons specified in this report. The existing State Electoral Roll should be maintained for the Local Government elections of 1991 and until the AEC can produce appropriate rolls for any State or Local Government electoral event, then phased out. However in expectation of the ultimate use of the Commonwealth Roll and because of its greater suitability for this purpose, the Commission would propose using the Commonwealth Roll to conduct the redistribution of Legislative Assembly electoral districts in 1991.

The Commission recommends that:

ESTABLISHMENT OF A JOINT ELECTORAL ROLL (para. 7.11)

- (a) A Joint Electoral Roll Arrangement should be negotiated by the Queensland Government with the Commonwealth Government, to be effected as soon as practicable. The Commission further recommends that the existing Commonwealth Roll should form the basis of the Joint Electoral Roll.
- (b) A Joint Electoral Roll Management Committee should be established to assist with the negotiation of the Arrangement and implement the Joint Electoral Roll Arrangement subsequently. The Joint Electoral Roll Management Committee should consist of senior officers of the Australian Electoral Commission (AEC) and senior officers of the Department of Justice and Corrective Services.
- (c) The form of the Joint Electoral Roll to be adopted by Queensland should incorporate:
 - (i) A single database which is compatible with the National standard.
 - (ii) Management of additions to and deletions from the database should be undertaken by the AEC.
 - (iii) On-line access to the database should be provided to the State Electoral Office (SEO) and other authorities approved by the Queensland Government so that maintenance of State data fields can be performed.
 - (iv) Production of electoral rolls for Legislative Assembly and Local Government elections should be the responsibility of the AEC.

ENROLMENT QUALIFICATIONS AND DISQUALIFICATIONS (para. 3.80)

- (a) State enrolment qualifications should be the same as the current Commonwealth qualifications, namely:
 - (i) A period of one month should be adopted as the residential qualification for enrolment in an electoral district.

- (ii) The Commonwealth criteria for eligibility of non-Australian British subjects should be adopted, with the proviso that any non-Australian British subjects currently on the State roll be retained on the roll for State elections.
 - (iii) The Commonwealth provisions should be adopted for the enrolment of itinerant electors, electors travelling overseas and Antarctic workers.
 - (iv) The Commonwealth provisions for provisional enrolment for 17 year olds should be adopted.
- (b) The State should adopt the disqualification criteria for prisoners and persons of unsound mind specified in the Commonwealth Electoral Act.
 - (c) Legislation to effect these changes should be drafted as a matter of priority.

ACCESS TO ROLL INFORMATION (para. 3.80)

- (a) The published State and Local Government rolls should contain only the elector's surname, given names, address and the notation JP if applicable, and the fields on the current published roll showing occupation, gender and date of claim should be deleted.
- (b) The State agency responsible for roll maintenance should also be responsible for determining right of access to non-published roll data in accordance with any State privacy legislation that may be promulgated.
- (c) Current provisions for access to roll information in electronic form by MLAs, duly nominated candidates, local authorities and community councils, should be maintained, including information on elector's occupation, gender and date of claim.
- (d) Electronic access should be only for the use prescribed as discussed in para. 3.56.

USE OF ROLL INFORMATION BY STATE AUTHORITIES (para. 3.80)

- (a) State Government Departments should continue to have unrestricted access to published roll data and the enrolment claim card should be suitably amended to indicate to electors that these uses of roll data are being allowed.
- (b) Provision should also be maintained for the Health Department to access the electronic roll for the purposes of its Public Health programs such as the TB program.

- (c) Provision should be made for on-line access to the database by the Sheriff for the purpose of compiling jury lists.
- (d) The use of the electoral roll to maintain a register of State Justices of the Peace should be continued.

NECESSARY CONDITIONS (para. 5.9)

The Commission recommends that any Joint Electoral Roll Arrangement should be negotiated only after the Commonwealth has agreed to the Queensland Government's satisfaction that:

- (a) It can provide electoral rolls to support both Legislative Assembly and Local Government elections according to a timetable acceptable to Queensland.
- (b) All regional offices of the AEC will have on-line computer facilities within an acceptable time-frame.
- (c) That any conflict arising from simultaneous competing needs for roll information from the Commonwealth and Queensland will be resolved promptly and acceptably to both parties.

The Commission further recommends that performance criteria, and to the extent possible performance indicators, should be negotiated and form part of the Arrangement to allow proper monitoring of the implementation of any Joint Electoral Roll.

IMPLEMENTATION TIMETABLE (para. 6.9)

The introduction of any Joint Electoral Roll should proceed according to the following timetable as far as practicable:

- (a) negotiation of a Joint Electoral Roll Arrangement by the State with the Commonwealth by 31 December 1990;
- (b) implementation of the Joint Electoral Roll during 1991, and to be fully operational no later than 31 December 1991.

CHAPTER ONE

INTRODUCTION

The Fitzgerald Report

- 1.1 The central role of "regular, free, fair elections" in parliamentary democracy was highlighted in the Report of the Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct (Fitzgerald Report p. 127). In addition to the question of electoral boundaries, the Report noted:

"The Elections Act 1983-85 should similarly be reviewed in an impartial manner to ensure that more effective means are developed to guarantee the accuracy of electoral rolls, to prevent fraudulent voting practices and to maintain the confidentiality of individual voters, particularly in the case of absentee and postal votes."

Legislative Basis for the Electoral Roll Review

- 1.2 Section 2.11 of the Act requires that EARC shall proceed "forthwith" with an investigation of the Legislative Assembly electoral system. The section requires that the Commission report on a number of issues including:

"(g) the compilation of electoral rolls of the electors of each electoral district;"

Review Process

- 1.3 The EARC Review of the Queensland Electoral Roll commenced in May 1990. On 26 May 1990, the Commission published Issues Paper No. 6, Queensland Electoral Roll Review, seeking public comment on a range of issues:
- (a) Whether there should be a Joint Electoral Roll for Queensland and the Commonwealth.
 - (b) If there is to be a Joint Electoral Roll, should Queensland adopt the existing Commonwealth roll system in total or maintain its own system based on Commonwealth roll data.
 - (c) Qualifications for enrolment, including questions of citizenship, residency, prisoners, disabled electors and provisional enrolment for 17 year olds.
 - (d) The circumstances under which persons should be disqualified from the roll.
 - (e) What legitimate uses may be made of the information contained in the electoral roll. For example, maintaining lists of electors eligible to vote in Local Government elections; maintenance of jury lists; identification of JPs; and other use by State departments and instrumentalities.
 - (f) Access to electoral roll information by private individuals and organisations, including charges (if any) to be imposed.
 - (g) The need for any confidentiality provisions to restrict or control access to information on the electoral roll.
 - (h) Procedures for maintaining accuracy of the electoral roll and enforcing compulsory enrolment.

- 1.4 The Issues Paper, its availability, and a call for public submissions, were advertised widely in Queensland. A copy of the press advertisement is attached as Appendix A. The Issues Paper was also distributed to all public and tertiary institution libraries and Magistrates Courts throughout the State. Public submissions closed with the Commission on 15 June 1990. Immediately prior to this Report 28 public submissions had been received. A list of persons and organisations furnishing submissions is at Appendix B. In this Report references to submission numbers will be in brackets preceded by the letter S. For example, (S12) means submission no.12.
- 1.5 In addition to this public input, EARC consulted with and sought information from a variety of sources including:
- (a) State Electoral Office (SEO) - documents and data;
 - (b) interviews and meetings with SEO staff;
 - (c) meetings with Australian Electoral Commission (AEC) staff;
 - (d) AEC reports and data;
 - (e) public submissions made in response to the Commission's Issues Paper No. 1, Legislative Assembly Electoral Review;
 - (f) reports and data from Electoral Commissions/Offices in other Australian States and Territories;
 - (g) State and Commonwealth legislation;
 - (h) Joint Electoral Roll Arrangements between the Commonwealth and other States and Territories;
 - (i) Commonwealth and State Parliamentary debates; and
 - (j) media reports.

Importance of Accurate Electoral Rolls

- 1.6 The key part played by the electoral roll in the electoral system was identified in public submissions to EARC for the Queensland Joint Electoral Roll Review. For example, the Liberal Party (Queensland Division) (S16) pointed out the fundamental importance of the electoral rolls in public perception of the fairness of the electoral system:

"The introduction of 'fairer' electoral boundaries will be of little assistance in restoring confidence in the electoral system if the electoral rolls - the very basis of the system - are deficient. It is vital that each step in the electoral process is perceived to be fair and accurate. The integrity of the entire system must be preserved."

- 1.7 Former Senator Michael Macklin (S25) stated:

"In the interests of fair elections ... the highest standards should exist in the preparation and performance of the electoral roll. The Queensland roll ... has failed in this objective."

Previous Review of the Joint Electoral Roll Question in Queensland

- 1.8 There has been provision in Queensland and Commonwealth legislation since at least 1915 for the establishment of a Joint Electoral Roll. The provisions of State and Commonwealth legislation are summarised in Appendix C.

- 1.9 The question of a Joint Electoral Roll was last investigated by a Joint Commonwealth/State Working Party in 1980. The terms of reference for the investigation were to

"... report to their respective Ministers on the feasibility of introducing a joint Commonwealth/State electoral rolls system in Queensland. The report to cover both the economic and functional aspects of such a system ..."

- 1.10 The 1980 report made reference to earlier comments in 1973 by a State Public Service Inspector, who had examined the need for re-classification of SEO positions following computerisation. The following extract from the Inspector's 1973 report was included in the 1980 report:

"This matter has a history going back to 1906.

There are three difficulties to be overcome in combining State and Commonwealth Rolls:-

- (i) Varying boundaries;*
- (ii) Varying residential qualifications;*
- (iii) Varying data required, e.g. Jury and Local Authorities are not required by the Commonwealth.*

In terms of today's technology these matters present little difficulty.

Queensland is the only State which does not have a Joint Electoral Rolls Agreement with the Australian Government.

The question of Joint Electoral Rolls was raised informally with the Honourable the Minister for Justice with a view to conducting a Cost/Benefit Study. However the matter was not pursued."

- 1.11 Issues identified in the 1980 report relate to the then reported apparent superiority of the Commonwealth roll and the extra information about electors required on the State roll to support the SEO's statutory obligations. Issues considered in reaching the Working Party's recommendations included the following:

- (a) When electors seek to vote and their names do not appear on the roll, if they believe their names should be on the roll they may claim a provisional vote under s.45 of the State Act or s.235 of the Commonwealth Act. From the average numbers issued by Commonwealth and State between 1972 and 1980 (8778 for the Commonwealth compared with 19375 for the State), it would appear that fewer Commonwealth voters experienced problems of not having their names on the roll.
- (b) The extra resources put into roll maintenance by the Commonwealth - 103 permanent staff compared to 42 permanent, 10 temporary and 92 Clerks of the Court. (The Clerks of the Court are formally appointed as electoral registrars but their electoral responsibilities form only a very small part of their overall duties.)

- (c) The Commonwealth roll was constantly maintained in a more up to date condition because the SEO could not match the roll maintenance programs implemented by the Commonwealth e.g. habitation reviews, education programs.
- (d) The need for more senior officers and more trained staff in the SEO.
- (e) The high level of complaints concerning the accuracy of the State roll following the 1977 State election and the 1979 Local Government elections.

1.12 Benefits to the State identified in the 1980 report included:

- (a) savings of approximately 50% of cost of permanent staff;
- (b) Clerks of Court freed from enrolment duties;
- (c) State rolls and State special purpose lists more up to date;
- (d) elimination of parallel systems; and
- (e) less public confusion and inconvenience.

1.13 Although the 1980 report recommended that a joint enrolment system be established, the Queensland Government eventually decided to introduce a joint enrolment card system only, with each administration continuing independently to process fully all enrolment claim cards lodged. The joint card system began operating in 1986, six years after the report recommending the joint enrolment system had first been released.

1.14 In 1988 the AEC became aware that as part of a State cost cutting exercise, the Queensland Minister for Justice and Attorney-General who was responsible for electoral matters, was to recommend to State Cabinet a Joint Electoral Roll Arrangement to replace the then existing joint enrolment agreement. However it transpired that, while the Minister was still personally in favour of such an arrangement, he had reservations about taking it to Cabinet.

1.15 One can only speculate why Queensland still does not have a Joint Electoral Roll Arrangement with the Commonwealth, in spite of the advantages perceived and documented by State administrators for many years. All other States (except WA) have had such agreements in various forms since at least 1928, whilst WA has had such an agreement since 1983. The most plausible explanation is suspicion at the political level that use of the Commonwealth roll would be in some way disadvantageous to the governing party of the day, and this view prevailed under Labor and non-Labor governments alike.

Recent Discussions

1.16 Recent discussions between officials of the Department of Justice and Corrective Services including the SEO and the AEC hosted by EARC as part of this review identified issues similar to those identified in the 1980 Report. These discussions concluded that it is desirable to:

- (a) make the enrolment process as simple as possible for electors by addressing differences in eligibility and disqualification criteria;
- (b) underpin the credibility of the roll in the eyes of the public;
- (c) provide the best service at the lowest overall cost to the community; and
- (d) continue to support State functions such as jury lists, Local Government elections, Justices of the Peace Register and Health Department programs.

1.17 During these discussions, the major areas identified which need to be addressed in considering whether a Joint Electoral Roll Arrangement should be entered into were:

- (a) the comparative capabilities of the State and Commonwealth computer systems, in particular the Commonwealth's capacity to support State requirements of the electoral roll including Local Government elections and the Jury System, and the timetable by which the Commonwealth will move to an address based computer system;
- (c) the cost of Queensland's contribution to a Joint Electoral Roll compared to the cost of maintaining a separate roll;
- (d) provision of direct on-line access to the Joint Electoral Roll database by the State; and
- (e) whether the State will maintain any input into the roll maintenance function.

1.18 The principal difference between the situation in the early 1980s and the present appears to be that the State has recently invested considerable resources in the development of a computer system to support the functions required of the State electoral roll. This computer system is still under development.

1.19 This report deals with each of these issues below and makes recommendations for the future shape and management of an electoral roll which will be suitable for the conduct of Queensland Legislative Assembly and Local Government elections, associated functions and the additional administrative uses for which the electoral roll may appropriately be used.

CHAPTER TWO

CURRENT ADMINISTRATION - QUEENSLAND ELECTORAL ROLL

Corporate Structure

- 2.1 The authority responsible for administering the Queensland electoral roll is the State Electoral Office (SEO) which is a unit of the Department of Justice and Corrective Services (the Department). The office is centrally located in Brisbane and it has no regional staff.
- 2.2 The Department has advised that the SEO consists of 29 permanent staff, ranging from the Principal Electoral Officer (PEO), (Classification 1-8, annual salary \$38,278), to Administrative Assistant Grade 1 (commencing annual salary of \$10,444 (under 21 years) or \$18,937 (21 years or older)). The majority of the staff, 21, are Administrative Assistants. The corporate structure of the SEO, and the reporting and supervisory lines of control between it and senior Departmental management, as advised by the Department appear as Appendix D.
- 2.3 From this chart it appears that the PEO reports to both the Director, Corporate Services and to the Director-General. Advice from the SEO is that for normal day to day operations, the PEO deals with the Director, Corporate Services, but for policy advice and interpretation, the PEO deals directly with the Director-General, because the Director-General also holds the position of Chief Returning Officer.
- 2.4 It needs to be noted that all but one person within the SEO, the Officer-in-Charge of the Elections Sub-Program, are dedicated to roll maintenance and production. Other electoral officials, such as returning officers are temporarily appointed for each election.
- 2.5 From the Department's 1987/88 and 1988/89 Annual Reports, it appears to the Commission that the SEO has relatively low priority within the Department's operations. In 1987/88 the SEO was listed as a separate program area reporting to the Under Secretary. In 1988/89, the electoral program came under the control of the Director, Corporate Services, who reports to the Deputy Under Secretary, who in turn reports to the Under Secretary. There are no separate program or financial details for the SEO shown in the Department's Annual Reports.

Legislative Obligations in Relation to Electoral Rolls under Elections Act 1983-1989

- 2.6 Appendix E contains a summary of Parts III, IV and V of the Elections Act 1983-89. These parts of the Act deal with the Queensland electoral roll and require the PEO to:
 - (a) establish general and supplemental rolls for each electoral district, and if that district is divided, for each division;
 - (b) publish rolls, in the prescribed form, on the date prescribed by the Minister, or at least every two years;
 - (c) make rolls available for public inspection and purchase;

- (d) assess claims for new enrolment and transfer of enrolment to a new electoral district against eligibility criteria in ss.21-22 and s.28, and advise claimants and electoral registrars of new enrolments and transfers;
- (e) remove from the roll electors who become disqualified under s.23, and advise electoral registrars' officers;
- (f) issue elector identification cards to enrolled persons lodging applications;
- (g) administer the joint enrolment card system with the AEC;
- (h) make appropriate investigations of the validity of claim forms lodged;
- (i) administer the regulations relating to compulsory enrolment and transfer;
- (j) assess applications for silent enrolment under s.32A;
- (k) exercise authority to excuse physically and mentally disabled persons from complying with compulsory requirements of the Act;
- (l) make manual alterations to rolls at any time up to 5:00pm on the day a writ is issued;
- (m) register all claims for new enrolment, transfer and notification of change of address lodged before the closure of rolls;
- (n) process information provided by the Registrar of Births, Deaths and Marriages, the Public Trustee and superintendents of correctional centres;
- (o) make rolls available in electronic format for purchase by MLAs, candidates, Local Authorities and Community Councils;
- (p) initiate objection proceedings, process objections lodged by members of the public, and determine objections;

Current Arrangements with the AEC

- 2.7 Since the Joint Enrolment Card Arrangement of 1986 both the AEC and the SEO have been passing completed cards on to the other authority once initial processing has been completed. The card is entered twice by different data entry personnel, and separate checks are made as to whether the card is a new one or an update of an earlier enrolment. The two organisations have different systems for checking the information on the completed cards. In about 90% of cases the cards are submitted to the AEC (usually a divisional office) in the first instance. Consequently there is a delay before the State roll can be updated with the new enrolment information in the majority of cases.

- 2.8 The AEC advises that it passes to the State tapes detailing electors who have been removed from the Commonwealth roll because of interstate transfer or as a result of objection action by AEC officers.
- 2.9 The AEC is statutorily required to conduct a habitation review (a door to door check in metropolitan and provincial centres, and a mail check in more thinly populated areas, of the accuracy of the electoral roll) every 2 years and their funding is automatic. There is no corresponding obligation on the SEO in respect of the State electoral roll, although there was previously a practice of conducting reviews in the year before a general election was due. The State last conducted a habitation review in its own right in 1984, but this practice has since been discontinued because of cost. If the State were to conduct a full review from its own resources, it has been estimated that the cost would be at least \$3 million.
- 2.10 The last AEC habitation review in Queensland was completed in 1989. It was conducted entirely by the AEC, with the SEO contributing \$875,000 to the cost, and using the information from the review to update and amend the State roll. Approximately 250,000 new enrolment claim cards resulted from the review.
- 2.11 The AEC will commence its next habitation review in October 1990. The SEO will not be participating in this habitation review on a joint basis, although it had raised the possibility of requiring \$1.5 million for a joint review. The decision not to proceed on a joint review was based on the failure to reach agreement with the Commonwealth for composite Commonwealth/State roll walk lists, which would maximise the benefits to the State, to be used for the review. If walk lists derived from only the Commonwealth roll are used, names and particulars of electors on the State roll but not on the Commonwealth roll will not be checked by the review officers, and the benefit for the State roll is reduced accordingly. However disparities between the two rolls are such that it would not be possible to merge the two in one list, whilst requiring the review officers to check two separate but overlapping lists would be unacceptable to the Commonwealth.
- 2.12 However, because of the large number of enrolment claim cards the review will generate, the Department may still need to approach Treasury for funds for additional SEO staff to cope with the increased workload generated by the Commonwealth review.

Budgets and Costs

2.13 The Department has provided the following details of the operating costs of the SEO for the last three completed financial years:

**TABLE 1
STATE ELECTORAL OFFICE OPERATING COSTS
1987/88 - 1989/90**

	1987/88	1988/89	1989/90
	\$	\$	\$
<u>Electoral Roll Maintenance</u>			
Salaries, Wages and Related Costs	882,272	783,211	677,603
Administrative Costs	562,278	522,602	329,374
Plant and Equipment	38,800	17,002	15,437
Roll Canvass	NIL	1,456,217	224,258
	<u>1,483,350</u>	<u>2,779,032</u>	<u>1,246,672</u>

Average annual cost over the last 3 years: \$1,836,351

<u>Conduct of Elections</u>			
Local Govt. Elections	248,149	1,205	NIL
By-elections	191,480	253,521	NIL
General Elections	NIL	NIL	5,884,485
	<u>439,629</u>	<u>254,726</u>	<u>5,884,485</u>

2.14 It should be noted that the cost of corporate services (financial, staffing, computer support, etc), motor vehicles costs, and indirect costs are not included.

2.15 An analysis of the budgetary figures for salaries in Table 2, shows the pressure the resources of the SEO have been under during the period covered by the data, and also tends to confirm the low priority which the SEO has been given in the past. An adjustment factor of 1.06 per year has been used to convert previous year's budgets to 1989/90 dollars. A notional average salary per employee, \$23,366, has been calculated by dividing the total salary budget for 1989/90 by 29, the number of permanent staff. This average salary has then been used to estimate the approximate staffing level for each previous year in the absence of other statistics.

**TABLE 2
ANALYSIS OF SALARY BUDGETS
STATE ELECTORAL OFFICE: 1987/88 - 89/90
(IN 1989/90 DOLLARS)**

YEAR	ORIGINAL BUDGET	CONVERSION FACTOR	BUDGET IN 89/90\$	AVG SALARY IN 89/90\$	STAFF LEVEL
87/88	882,272	1.12	991,320	23,366	42.4
88/89	783,211	1.06	830,204	23,366	35.5
89/90	677,603	1.00	677,603	23,366	29.0

Functions, Practices and Procedures

- 2.16 Various Clerks of Magistrates Courts in non-metropolitan areas and Wynnum (as designated in the Regulations of the Elections Act 1983-1989) are appointed as Electoral Registrars to be responsible for the distribution and collection of enrolment claim cards locally. The completed cards are then forwarded to the AEC or the SEO.
- 2.17 Post offices and the divisional offices of the AEC also distribute enrolment cards which are posted or handed to the AEC divisional offices.
- 2.18 On receipt, cards are checked to ensure they are adequately completed, signed and witnessed. Details of the new enrolment or the change of enrolment are then entered onto the electoral roll. Following processing the card is passed on to the other authority for duplicate processing for the other roll. The great majority of enrolment cards are submitted to the AEC in the first instance. Figures supplied by the Department show that in the year ended 31 March 1987, 42.2% of the 308,569 cards were lodged first with the SEO; by the year ended 31 March 1990 the proportion had declined to 9.7% of the 487,967 cards lodged. This development presumably reflects increasing use of the Commonwealth's facilities in post offices and divisional offices to obtain the cards.
- 2.19 A copy of the enrolment claim card known as the Electoral Enrolment Form appears as Appendix F. The form outlines eligibility requirements for Commonwealth and State rolls. Reliance is placed on electors to assess themselves against these criteria, to make truthful declarations, and to have the forms correctly witnessed.
- 2.20 In relation to residential eligibility, under present Commonwealth and State procedures there is no independent checking of the residential qualification; the elector's declaration and the witness's signature provide the only confirmation of accuracy.
- 2.21 Both Commonwealth and State Acts specify precise requirements in relation to the enrolment rights of British subjects. In the case of the AEC, these applicants are checked against a microfiche of the Commonwealth roll as at 25 January 1984, together with an up to date list of verified roll additions having effect at that date.
- 2.22 In the case of the SEO, these applicants are checked against a copy of the State roll as at 1 May 1983, plus a list of all additions between 1 May 1983 and 1 August 1983. A copy of the procedures used by the Department to verify the enrolment eligibility of British subjects is contained in Appendix G.
- 2.23 The Department also advises that:
- (a) The proportion of enrolment cards where the elector specifies eligibility for State or Commonwealth only is not known, as such a record is not kept.
 - (b) The number of non-Australian British subjects who claim entitlement each year is not known as no record of such claims is kept.

- (c) The number of non-Australian British subjects who are still on the State Electoral Roll is unknown, as this information was not entered on the roll.

2.24 In practice it appears that Queensland currently operates with, de facto, the Commonwealth's eligibility criteria. The minutes of the meeting between the AEC and SEO chaired by EARC on 6 August 1990 state:

"In regards to eligibility differences, it was asked [by EARC] whether the information on the card was accepted as is, and what the incidence was of claimants crossing out either Queensland or Commonwealth on the claim card.

The PEO responded that the incidence was very low, but that he had seen it happen".

- 2.25 A difference between current State and Commonwealth practices which has been causing the State some concern was in relation to changes of address. Under State legislation, notification of all changes of address are compulsory and must be notified on an enrolment form, whereas Commonwealth legislation did not compel notification of changes of address within a subdivision, and allowed written advice of a change of address within a Commonwealth subdivision without the completion of an enrolment form. There are now subdivisions in only 3 of the 24 Commonwealth divisions in Queensland.
- 2.26 This differing requirement would have made the administration of a joint roll more difficult as those electors advising a change of address in writing would have to be asked to complete an enrolment form also for State purposes.
- 2.27 This potential problem has been of concern to the State. However, the Commonwealth Electoral Act has recently been amended, and from 30 September 1990 notification of all changes of address have become compulsory under the Commonwealth Act. Therefore if a Joint Electoral Roll Arrangement were to become effective in 1991, all notifications of change of address will have to be made on an enrolment form, thereby overcoming one of Queensland's concerns.

Obligations on SEO/PEO under other State Acts

2.28 Various State Statutes place particular obligations on the SEO:

- (a) Jury Act 1921-1990. Section 12 requires the PEO to make available to the Sheriff electoral information obtained in the course of administration of the Elections Act 1983-89. This is achieved through the Sheriff having on-line access to the electoral database. Under s.14A the Sheriff must advise the PEO of any names to be struck out of the list of potential jurors because of information obtained by the Sheriff. The PEO is also required to note on the roll all potential jurors who are excused from service for a given period.

- (b) Justices of the Peace Act 1975. Section 21 of this Act requires the PEO to note on the roll the initials JP after the name of all approved Justices of the Peace. This enables the roll of an electoral district to be used to find a local Justice of the Peace.
- (c) Local Government Act 1936-1989, Community Service (Aborigines) Act 1984, Community Services (Torres Strait) Act 1984 and City of Brisbane Act 1924-1987 all require that persons must be enrolled under State legislation in order to vote in Local Government elections. However, only the City of Brisbane Act 1924-1987 requires the SEO/PEO to maintain and provide rolls for its elections. The SEO/PEO assists other Local Authorities and Community Councils with the preparation of rolls for elections, but this is not required by legislation.

CHAPTER THREE

ISSUES

Local Government Issues

- 3.1 A major function of the State electoral roll is to provide rolls for Local Government elections. If any Joint Electoral Roll Arrangement is struck between the Commonwealth and the State of Queensland, it is essential that the Joint Electoral Roll be capable of providing rolls for Local Government elections.
- 3.2 A major difference between the Commonwealth and State rolls is that the State roll contains details of the Local Government or Community Council in which the elector resides, as well as the elector's division or ward if the Authority/Council is internally divided - as the great majority are. These details are allocated by the State computer system by comparing the elector's address to the system's street file index. The main use for this data is the compilation of rolls for Local Government and Community Council elections which are held on a Saturday in late March or early April every three years. The next elections are due in 1991, and rolls for local and community wards and divisions close on 31 December 1990. The Commonwealth roll does not presently contain this information, though it does identify Census Collectors Districts (CCDs) which could be aggregated into Local Government Areas but not to divisions or wards.
- 3.3 As outlined in para. 2.28, the SEO is involved in the preparation of rolls for Local Authority elections. This involves the preparation of rolls for Brisbane City wards and the compilation of electronic rolls for Local Authorities under s.37B(1)(c) of the Elections Act 1983-89, for those Authorities who have applied and paid the prescribed fee (\$262.50 + \$21.00 per 1000 entries or part thereof). Rolls are also provided to Local Authorities in hard copy form.
- 3.4 The AEC computer system, RMANS, already has both external and internal Local Government fields, but holds no data in these fields for Queensland electors. The AEC has insisted that, because RMANS is based on CCDs, it can readily be used to identify Local Authority areas, as external boundaries of Local Authorities coincide with CCD boundaries.
- 3.5 However, the AEC has advised that, while there is no simple procedure to allocate electors to divisions/wards within Local Authority Areas because there is very little correspondence between these boundaries and the boundaries of the CCDs which form the basic building blocks of the RMANS system, the coding of internal boundaries for the RMANS system is practical and the system can accommodate this requirement without modification.
- 3.6 In fact, this problem is already being addressed in New South Wales. In that State, where the AEC and the NSW Electoral Commission are investigating the upgrading of roll information to include internal Local Government divisions, it has been estimated that it will cost \$100,000 - \$200,000 to capture the data necessary (Minutes of AEC/SEO/EARC meeting 8 August 1990). Because the Queensland roll is approximately half the size of the NSW roll, the cost in Queensland is estimated to be considerably smaller.

- 3.7 Six Queensland Local Authorities and the Local Government Association made public submissions to the Electoral Roll Review. All expressed support for a Joint Electoral Roll. Typical comments included:

"A Joint Electoral Roll should be maintained.. The Council strongly advocates the adoption of one month residency and ... favours uniformity in qualifications for Commonwealth, State and Local Government enrolments." (Brisbane City Council (S13)).

"There should be a Joint Electoral Roll ... and Queensland should adopt the existing Commonwealth roll system in total." (Ipswich City Council (S14)).

"It is therefore believed that Local Government elections would benefit from the adoption of a Joint Electoral Roll." (Local Government Association of Queensland Inc. (S19)).

Residential Eligibility

- 3.8 One criterion for voter eligibility in Queensland is period of residency in an electoral district. Appendix H compares details of enrolment eligibility under Commonwealth and State legislation. There has been a long history of alterations to this residence requirement in Queensland. Previous Labor governments have reduced the period of residence prior to enrolment to one month; non-Labor governments have extended the period to three months.
- 3.9 The differences in approach might be attributed to the substantial number, earlier in the century, of seasonal and migratory workers, especially in the pastoral and sugar industries, and railway workers. Economic conditions have changed since then, and few such persons are likely to affect electoral outcomes now.
- 3.10 The question is whether there is now any justification for maintaining in Queensland for State (and Local Government) elections a residence requirement which differs from that applying for Commonwealth elections and for elections in the other States and Territories.
- 3.11 One possible adverse effect of maintaining the different residential eligibility was identified by the Department of Justice and Corrective Services (S11) which stated that the variation between aggregate numbers on the State and Commonwealth rolls had been the "source of some criticism", and attributed the variation partly to different requirements on a change of address within the same Commonwealth electoral division and partly to

"... significant differences in eligibility for enrolment between the State and the Commonwealth particularly the residential requirements of three months and one month respectively".

- 3.12 The latter difference between the two rolls should have resulted in:
- (a) more Commonwealth electors at any one point of time in respect of inter-state transfers into Queensland; but

- (b) no difference in aggregate numbers in respect of:
- (i) intrastate transfers, for though they would be enrolled for their new address on the State roll later, they would also be removed from their old address later;
 - (ii) electors coming of age (for the Commonwealth's provisional electors are not counted until they turn 18); or
 - (iii) inter-state transfers out of Queensland because such electors would have their enrolment in Queensland, State and Commonwealth, terminated by a Joint Electoral Roll entry transaction elsewhere - though there might be a slight lag for State deletion action awaiting Commonwealth advice of the transfer.

3.13 Thus the difference in residence requirements might help explain a larger Commonwealth aggregate enrolment such as existed at the 1986 election, but not a substantially larger State enrolment such as existed at the 1989 State election.

3.14 Set out in Table 3 are the total enrolments in Queensland for both Commonwealth and State rolls so that a brief comparison of aggregate enrolments can be made. The Commonwealth date refers to the date of the enrolment figures given in the Gazettal notice, and the State figures relate to the election dates which would have followed earlier close of roll. In 1986 there were 45,732 or 2.9% more electors on the Commonwealth roll than on the State roll, and in 1989 there were 46,580 or 2.7% fewer electors on the Commonwealth roll.

**TABLE 3.
COMPARISON OF AGGREGATE STATE
AND COMMONWEALTH ENROLMENTS**

COMMONWEALTH		STATE	
Gazettal Date	No on Roll	Election Date	No on Roll
23 October 1986	1,593,832		
28 October 1986	1,609,026	1 November 1986	1,563,294
25 November 1986	1,618,358		
Margin of Commonwealth over State: + 45,732			
3 October 1989	1,711,859		
1 November 1989	1,711,859		
1 December 1989	1,734,205	2 December 1989	1,780,785
3 January 1990	1,752,405		
Margin of Commonwealth over State: - 46,580			

3.15 It may be that State failure to process some deletions masked the factors to which the Department attributed the differences. If so, noting that the close-of-roll inter-state additions for the Commonwealth election (16-26 February 1990) amounted to 11,000 and might be expected to have been smaller than usual because of the recent State election close-of-roll rush, then the amount of "deadwood" on the State roll was probably even larger than the 45,000 or 28,000 implied by comparing the aggregates for the two rolls at close-of-roll for the State or subsequently when the Commonwealth should have caught up with cards processed first by the SEO in a close-of-roll situation. Either way such inconsistent disparities between the two rolls is a cause for concern.

3.16 Two questions emerge from this analysis:

- (a) Would a new elector be so much better equipped by local knowledge to exercise the franchise effectively after three months, rather than one month, residence in the electoral district as to warrant retention of the present requirement?
- (b) Is there a danger of electors moving temporarily into marginal electoral districts in order to influence outcomes and, if they might do so under a one month residence requirement, would they be less likely under a three months residence requirement?

3.17 As most electoral information is distributed by parties and candidates during the campaign period which starts about the time the rolls close, it is doubtful that three-months residents have much advantage over their one-month counterparts. To the second question it can be said that among the various allegations of electoral abuses that are made, none have suggested that eligible electors are moving house with the intention of voting to influence the outcome in a different electoral district and then returning to their previous address after the election. If they were to move in order to vote in a different district it would be strange, but not illegal, provided they did not intend to return to their original address afterwards.

3.18 In its initial submission the Liberal Party of Australia (Queensland Division) (S16) argued for retention of the three-months residence requirement:

"In a rapidly mobile society, residence at one address for a mere four weeks does not necessarily signify an intention to remain at that address. The existing three month provision is stronger prima facie evidence of this intention.

To support the existing provision is not to support the disfranchising of electors who may choose to alter their residence. Section 21 of the Elections Act 1983-1989 preserves the enrolment of an elector temporarily living in another district. At the same time electors retain the right of enrolment at their previous address until the residence provision has been met in respect of their second residence.

It is important that opportunities to engage in illegal practices be reduced. Accordingly, the one month provision is clearly more susceptible to abuse than the existing provisions. Again, electors are not disadvantaged by this provision while opportunities for abuse are considerably reduced.

That no evidence may have been presented to support this provision in 1959 does not answer the charge that the potential for abuse exists.

Legislative provisions should be such so as to discourage these abuses occurring. Again, if doubts exist as to the nature of the rolls similar doubts can be raised as to the legitimacy of any elections, conducted with those rolls.

The Liberal Party takes this opportunity to call on Federal authorities to alter the residential provisions of the Commonwealth Electoral Act to correspond with those now applying in Queensland."

- 3.19 In a subsequent submission commenting on other submissions made to EARC, the Liberal Party of Australia (Queensland Division) (S28), raised the subject of the abolition of the "real place of living" question under the Commonwealth Electoral Act 1922 and commented:

"Obviously some AEC officials saw utility in relying on a three-month residential requirement before voting; perhaps this could be considered when considering residential requirements for enrolment."

- 3.20 The ALP (S12) argued for enrolment and objection procedures identical with the Commonwealth. Similarly the Australian Democrats (S25) advocated conformity with Commonwealth eligibility criteria. The National Party did not make a submission for this review.

- 3.21 In the Commission's opinion roll integrity is a much wider subject than residence requirements and must be examined in the context of the statutory and administrative procedures for roll maintenance, and especially the procedures for adding electors, for deleting electors, and for monitoring the accuracy of the roll at regular intervals. In particular the following matters must be considered:

- (a) the convenience to electors of simple and user-friendly enrolment procedures must be evaluated against the possibility of the rolls being stacked;
- (b) the desirability when removing electors from the roll of elaborate and staged procedures to protect against unwarranted loss of the franchise against simple and speedy procedures to remove suspect cases;
- (c) the privacy implications of matching databases as part of roll management procedures;
- (d) the desirability of processing and checking enrolment information using decentralised staff;
- (e) the cost-effectiveness of habitation reviews;
- (f) the extent to which restoration of locality voting would meet many present concerns about the possibility of voting abuses;
- (g) the experience of the Australian Electoral Commission in investigating roll accuracy following the 1990 election.

- 3.22 These questions should be canvassed fully, with opportunity for public input and discussion. As these matters will be pursued in Stage 4 of EARC's Legislative Assembly Electoral Review, it should be sufficient for the present to say that the Commission believes that the case for retaining the three months' residence requirement as a protection against possible abuse is outweighed by the desirability of allowing electors who have moved to new electoral districts to exercise the franchise there as expeditiously as possible. It would be wrong to compel them to vote with a community they have left any longer than is necessary and it has not been suggested that the overwhelming majority of change of enrolments are other than bona fide.

British Subject Eligibility

- 3.23 At the present time the Commonwealth and State legislation have different provisions for the enrolment of British subjects. This situation arose in the early 1980s when it was decided that British subjects should no longer automatically qualify for enrolment for State and Commonwealth elections.
- 3.24 Retention of the franchise by British subjects already on the roll when Australian citizenship was made the sole nationality requirement was rendered administratively untidy by the adoption of different dates for application of the new policy. Any British subject who was enrolled on the Queensland roll, or enrolled for House of Representatives elections in any State or Territory between 1 May and 1 August 1983 automatically stayed on the State roll, or if not currently on the roll could apply to be enrolled. Any British subject enrolled on the Commonwealth roll on 25 January 1984 automatically stayed on the Commonwealth roll, or if not currently on the roll could apply to be enrolled. British subjects resident in Australia, who do not meet the criterion in relation to previous enrolment, must now take out Australian citizenship to be eligible for enrolment on either roll.
- 3.25 Because nationality particulars are not included in the database of either roll, it is impossible to say how many individuals are affected by the difference between the two provisions. The problem for introducing a Joint Electoral Roll is that an elector who was on the State roll at the prescribed time, but had been removed from the Commonwealth roll or had never been on it by 25 January 1984, would not qualify for or would lose the State franchise if the Commonwealth formula became the sole provision for enrolment. This would be undesirable and should not be allowed to occur.
- 3.26 Similarly, an elector who was on the Commonwealth roll on 25 January 1984 should be entitled to secure the State franchise in a Joint Electoral Roll regime even though they may not meet the existing State requirement. The intention should be to save the franchise of anyone entitled to enrolment on either roll upon the combination of the rolls as a Joint Electoral Roll. The number of electors involved, although an exact figure is unknown, would be so small as not to reopen controversy as to preferential treatment of some persons who are not Australian citizens and are unwilling to become citizens, on the ground of their nationality.

Special Enrolment Provisions

- 3.27 The Commonwealth makes provision for certain electors to preserve their franchise when otherwise it would be lost (see Appendix I for details). Briefly, these provisions cover electors:
- (a) working in Australia's Antarctic territories;
 - (b) who intend to go overseas for up to three years; or
 - (c) who for occupational or other reasons do not retain a fixed residence but who are allowed to enrol as itinerant electors for an electoral division with which they have a connection.

- 3.28 The numbers of such electors on the Commonwealth roll for Queensland are small, and the electors are scattered so that it is unlikely that their voting could affect outcomes. On the subject of possible abuse, it is implausible that electors would leave the country for Antarctica or elsewhere to achieve some devious electoral purpose. The one danger to the integrity of the roll might be the use of itinerant elector procedures to transfer enrolment to a marginal division.
- 3.29 Table 4 gives details of the number of electors enrolled in Queensland Commonwealth divisions under these special provisions as at 2 July 1990. As the average number of itinerant electors in ultra-marginal federal divisions (i.e. where the successful candidate polled 50.0 - 54.9% of the two party preferred vote at the 1990 elections) is only 16, in the marginal divisions (55.0 - 59.9%) 12, and in the safe divisions (60.0%+) 9, there is little evidence of politically motivated abuse of the facility. The Commission can see no reason why the Commonwealth special provisions should not also apply in Queensland.

TABLE 4.

**ELECTORS ENROLLED ON THE QUEENSLAND COMMONWEALTH ROLL
UNDER SPECIAL PROVISIONS.**

Division	Itinerants	Overseas	Antarctic	Provisional
Bowman	19	17	0	4
Brisbane	0	19	0	9
Capricornia	6	8	2	0
Dawson	6	4	1	4
Fadden	16	18	1	1
Fairfax	22	4	1	2
Fisher	14	26	0	0
Forde	6	45	1	5
Griffith	9	28	0	4
Groom	4	7	0	2
Herbert	22	52	2	5
Hinkler	30	18	1	4
Kennedy	19	8	0	4
Leichhardt	27	49	0	6
Lilley	9	8	0	4
McPherson	20	15	1	1
Maranoa	6	4	0	0
Moncrieff	31	16	0	2
Moreton	10	31	1	1
Oxley	4	9	0	1
Petrie	7	14	2	2
Rankin	5	11	0	4
Ryan	4	69	0	4
Wide Bay	18	1	1	2
TOTALS	314	481	14	71

Provisional Enrolment

- 3.30 Provisional enrolment was introduced partly in a reaction to experience at the 1983 Commonwealth election when immediate closing of the roll following announcement of the election was thought to have prevented some hundreds of thousands of potential electors being put on the roll.
- 3.31 One group of potential electors was those who attained the minimal age of 18 after the close of roll but before polling day. As at the same time that provisional enrolment was being introduced, the Commonwealth Electoral Act was amended to delay roll closure until seven days after the issue of writs, thereby guaranteeing eligible persons an effective opportunity to enrol once it became known that an election was about to take place. Thus provisional voting lost one of its potential benefits and, perhaps as a consequence, relatively few persons make use of the facility. Figures for provisional enrolment in Queensland Federal Divisions were included in Table 4 above. Nevertheless, protection of the franchise is a goal to be pursued and the facility of provisional enrolment should be extended to Queensland State (and Local Government) elections.
- 3.32 Provisional enrolment for 17 year olds already applies to State elections in other States where there are Joint Roll Arrangements.

Disqualification Criteria

- 3.33 Disqualification criteria contained in State and Commonwealth legislation are detailed in Appendix J. These criteria relate to prisoners and mentally ill persons.
- (a) Prisoners. A more controversial matter is the preservation of the franchise of persons serving terms of imprisonment. The Joint Select Committee on Electoral Reform reported in 1983:

"In relation to the loss of voting rights of prisoners, the majority of the Committee was of the view that, as an initial revision, being convicted and sentenced for an offence punishable by five years imprisonment rather than one year as at present should be the basis for deprivation of rights. There was strong support within the Committee for the view that punishment provided by the courts should not be added to by this legislation. (This view is taken by several of the States)."

Given the difficulty of securing accurate information on such electors, it would add marginally to the complexity of the task confronting officers processing enrolments to apply two sets of provisions. As no opposition to the proposal has been expressed, on balance it would be preferable to have a common requirement and it is the view of the Commission that the Commonwealth standard should be adopted by Queensland.

- (b) Mentally Ill. It is also the view of the Commission that withdrawal of the franchise from electors who are of unsound mind should follow the Commonwealth provision, s.93(8)(a) of the Commonwealth Electoral Act:

"by reason of being of unsound mind, is incapable of understanding the nature and significance of enrolment and voting;"

rather than the present State requirement, s.23(a):

"is mentally ill and incapable of managing his estate;"

3.34 As was said when the Commonwealth formula was proposed:

"The wording 'unsound mind' is legally most imprecise. The Committee recommends review of this wording with a view to excluding on the ground only those persons who are incapable of making any meaningful vote."

However, the Commission believes that the present Queensland wording of "mentally ill" is equally imprecise, and that the emphasis on the ability to "manage an estate" is of less relevance in this context than "understanding the nature and significance of enrolment and voting". It is current practice of the AEC to require a medical certificate certifying that a person is of "unsound mind" before action can occur and this practice appears to offer sufficient protection against unwarranted removal from the roll.

Other State Systems Supported by Queensland Electoral Roll

3.35 The Department has stated (S11):

"In addition to the preparation of rolls for local government elections, the electoral computerised data base is used by the State for:-

- (1) Statewide computerised jury selection system;*
- (2) Justices of the Peace registration system;*
- (3) Health programs conducted by the Health Department;*
- (4) providing Members of the Legislative Assembly with electoral roll data in electronic form;*
- (5) providing Local Authorities with electoral roll data relating to their Districts in electronic form.*

Without up to date electoral registration records these functions could not be maintained in a cost effective way as at present."

Jury Lists

3.36 A major ancillary function and statutory obligation of the PEO is to make available to the Sheriff of Queensland lists of potential jurors. This obligation was set out previously in para. 2.28. This function was until recently provided by the PEO making available to the Sheriff lists of potential jurors compiled from the electoral roll every four months. Recently the Jury Act has been amended to enable the Sheriff to compile lists of potential jurors by direct on-line access to the roll database. This has made the management of jury lists easier for both the Courts and the SEO. The State roll currently has a special field which identifies those eligible for Jury service. This field is determined by the elector's occupation and the elector's place of residence in relation to distance from the Court House.

3.37 This issue was raised by the Sheriff (S7) who stated:

"New Section 12 (Jury Act 1921-88) will provide that the Principal Electoral Officer shall

(a) furnish to the Sheriff of Queensland such information obtained in the course of duty by him or his officers employed in the administration of the Elections Act 1983-89 and

(b) permit the Sheriff of Queensland to have such access to that information as is required by the Sheriff of Queensland for the purposes of the Jury Act.

It is submitted that the Sheriff of Queensland ... must have direct access to the Electoral Roll computer system.

If the decision is made to adopt a Joint Electoral Roll with the Commonwealth, the necessity for the Sheriff to be able to produce Notices to Prospective Jurors as required should be borne in mind."

3.38 There is currently no computer field in which to establish jury service eligibility on the Commonwealth roll. As the provision of this service is a statutory obligation of the PEO, any joint agreement with the Commonwealth will need to meet this requirement. The AEC has advised that spare fields exist on the Commonwealth roll which could be used for this purpose.

Justice of Peace Register

3.39 The electoral roll is used by the Attorney-General to maintain a register of all Justices of the Peace. Justices are identified in the published State roll by the letters JP appearing after their names. There are currently 55,000 Justices of the Peace in Queensland, and the use of the electoral roll would appear to be an effective way to maintain a register and to make this information available to the public.

3.40 As stated by the Attorney-General (S21):

"... should it be determined that access to the electoral roll be denied to the Registrar of Justices, a number of difficulties will be created for my Department.

Such a determination would necessitate the establishment of a separate computer based system for the Registrar of Justices which would involve substantial expenditure by my Department, not only for the purchase of the necessary hardware and software but also for the initial entry of the database ... Additional staff would also be required to maintain the system on an ongoing basis."

3.41 As with Jury lists above, there is currently no provision on the Commonwealth roll specifically to identify JPs. The AEC has advised that spare fields exist on the Commonwealth roll which could be used for this purpose.

Health Department and Other Government Departments and Agencies

- 3.42 Some State government departments utilise the State electoral roll database to assist their administration. Such arrangements are based on agreements between the SEO and the requesting department.
- 3.43 For example, there is an agreement dating from 1972 whereby the SEO identifies individuals with a high risk of developing tuberculosis. The Health Department notifies the SEO of all additions and deletions of names of persons in the high risk TB group. There are currently approximately 5,000 persons in the group. On a quarterly basis, mailing labels are produced for one in four of this group to remind them to have their annual X-rays. Other Divisions within the Health Department also utilise the roll.
- 3.44 In its submission, (S27), the Health Department stated:

"If access to the Electoral Rolls was to be denied to the Department of Health, it is considered likely that its ability to carry out its public health role in the areas of notifiable diseases, sexually transmitted diseases and other matters of public health would be reduced.

Restriction of access to the Electoral Rolls for administrative purposes would be inconvenient but not critical."

Rolls Available in Electronic Form

- 3.45 Section 37B of the Elections Act 1983-1989 authorises the PEO to provide rolls, subject to application and fee, in electronic format to Members of the Legislative Assembly, to any election candidates duly nominated, and to any Local Authority of electors in its jurisdiction. The information in these electronic rolls is currently restricted to the information on the published rolls, including occupation. Whilst it is true that such electronic rolls could be utilised for other than electoral purposes (e.g. commercial mailing services), and the inclusion of occupational data would make them especially suitable for commercial uses, it is unlikely that copies of electronic rolls will be placed into commercial hands by those who presently have access to them.

Access to Roll Information and Privacy Considerations

- 3.46 Members of the public and organisations have access to the printed roll within each electoral district from either the electoral registrar or other places prescribed by the PEO (s. 18 of the Elections Act). The public can also purchase published rolls for the prescribed fee (s. 19 of the Elections Act). It should be noted that developments in electronic scanning techniques now permit organisations wishing to generate lists of electors to readily use the printed rolls for this purpose.
- 3.47 Government Departments with computer access to the roll can only conduct name checks on the roll and cannot add or amend data. They only have access to that information which is available in the published roll, not the full database maintained by the SEO. In its submission, the Department (S11) advised that the following government authorities have computer access to the roll:

- (a) Criminal Justice Commission;
- (b) Special Prosecutor's Office;
- (c) Australian Security Intelligence Organisation;
- (d) Queensland Institute of Medical Research;
- (e) Health Department;
- (f) Land Tax Office; and
- (g) Public Trustee.

- 3.48 The Electoral Commissions or Electoral Offices in other States and Territories provide access to their electoral rolls for similar purposes to those in Queensland. The provision of jury lists and production of Local Government rolls are common requirements across all States and Territories.
- 3.49 However, other States, particularly those with privacy legislation, appear to be more reluctant to make roll information generally available to other Departments and agencies. Requests from other Departments are usually decided on their individual merits.
- 3.50 An issue which will need to be carefully canvassed in any Joint Electoral Roll Arrangement with the Commonwealth is that of privacy. Under Commonwealth privacy legislation, all agencies that have access to the non-public element of Commonwealth roll data have had to justify that access as being in the public interest. Typical grounds for claiming access are:
- (a) law enforcement;
 - (b) security; and
 - (c) the protection of public revenue.

In addition, the enrolment claim card now lists all Commonwealth agencies that have access to the non-public component of the Commonwealth roll.

- 3.51 At the meeting between the AEC and the SEO chaired by EARC on 19 June 1990, these privacy provisions were highlighted by the Australian Electoral Commissioner, Mr Cox, who:

"... expressed some concern that if access to unpublished data was available, then there may be breach of privacy provisions of Commonwealth legislation."

- 3.52 The question of controls over any joint database would therefore need to be addressed in any discussions on a joint roll arrangement. Given the legal complexity of any jointly owned data base it would be necessary to establish in advance of inaugurating any joint roll the uses to which data may be put, the organisations which may secure access to the data base, and the extent to which electors' privacy can be protected in any regime of divided responsibility.
- 3.53 The AEC has stated in a letter to EARC dated 9 August 1990 that privacy implications of a Joint Electoral Roll will need to be thoroughly canvassed with the Privacy Commissioner. If the State Government is contemplating privacy legislation, its planned provisions will need to be taken into account in negotiations for a Joint Electoral Roll.

3.54 As shown in Appendix K more information is published in the Queensland roll than on the Commonwealth roll. There were few objections in the submissions to EARC to the amount of detail on the published rolls:

"There should be free access and availability of information from rolls at all times."
(A Tate (S6)).

"...the information shown on the roll should continue to be governed by Section 17 of the Elections Act, as the matter is properly within the responsibility of the Queensland Parliament." (ALP (S12))

"The Council has no problem with the data currently maintained on the Queensland Electoral Rolls, and sees no need for any change. ... It is not considered that any special privacy provisions are necessary in respect of data that appears on the published rolls." (Brisbane City Council (S13))

3.55 However, the Citizens for Democracy (S15) took a different view:

"A person's name, sex, place of living and date of claim should be the only information on the published roll."

3.56 It is the Commission's view that the format of the published roll should be, consistent with the Commonwealth roll, and should not show the elector's gender, occupation or date of claim. Electronic roll information for MLAs etc, should continue in its present format so that MLAs and Local Authorities may service their constituents more efficiently. However restrictions on the uses to which recipients of electoral roll information may put this information, should be introduced, modelled on the recent amendment to the Commonwealth Electoral Act 1918, s.91A:

"91A (1) Where a tape or disk has been provided to a political party under subsection 91(5), a person shall not use information obtained by means of the tape or disk except for a purpose that is a permitted purpose in relation to that party.

Penalty: \$1,000.

(2) The permitted purposes in relation to a political party are:

- (a) any purpose in connection with an election or referendum;*
- (b) monitoring the accuracy of information contained in a Roll; and*
- (c) the performance by a senator or member of the House of Representatives who is a member of the party of his or her functions as a senator or member in relation to a person or persons enrolled for the Division to which the index relates.*

(3) In subsection (2):

'election' means

- (a) a Senate election;*
- (b) a House of Representatives election;*
- (c) a State election;*
- (d) a Territory election; or*
- (e) a local government election;*

'referendum' means a referendum conducted under a law of the Commonwealth or of a State or Territory."

Accuracy of the Queensland Roll

3.57 As pointed out in para. 3.14 above, there have been wide discrepancies between the numbers of electors on the State and Commonwealth rolls. The point was made that these discrepancies could not only be due to eligibility differences as suggested in the Department submission. Declining resources available to the SEO may offer some explanation on why this has occurred.

3.58 Press reports over the years have also implied large scale inaccuracies in the State Roll. Issues Paper No. 6 stated:

"Allegations published in the media that the State electoral roll is inaccurate would need to be assessed carefully. It is impossible to check most of the statements made against hard data, and the motives of those making claims during the heat of an election campaign need to be considered."

During the period 1 November 1986 to 5 March 1990, 57 items relating to electoral rolls were published in the Brisbane metropolitan press. All but four of these articles related to the State rolls and not the Commonwealth.

The main topics covered in these articles were allegations of large numbers of electors not being on rolls; general errors on rolls; possible rorts such as the enrolment of dead persons and enrolments at non-existent addresses; and the steps the previous government took to check the rolls against electricity consumer records."

3.59 Several public submissions drew attention to the question of accuracy. For example:

(a) Mr Tiplady (S26), a British subject recently struck off the roll because he did not meet the residential requirements, but who had been on the roll since 22 October 1983, stated: *"What is the competence and reliability of staff and records when proof is furnished that their records are seen to be wanting."*

(b) *"All sides of politics agree inaccuracies in the current rolls are extensive."* (Citizens for Democracy (S15)).

(c) *"Personal experience has shown, the Commonwealth's electoral roll is less likely to contain mistakes than the State roll. In the interests of fair elections I believe that the highest standards should exist in the preparation and performance of the electoral roll. The Queensland roll ... has failed in this objective."* (Former Senator Michael Macklin (S25)).

3.60 One possible indication of apparent errors in the rolls is the issuing of provisional or section votes at elections (s.45 Elections Act 1983-1989). Over the years, there have been consistently higher numbers of these votes issued in State elections in Queensland than Federal elections, as shown in para. 1.11.

- 3.61 The high incidence of these votes has continued. The Department has provided the following data:

TABLE 5.
SECTION 45 VOTES - QUEENSLAND ELECTIONS

YEAR	NUMBER ISSUED	NUMBER ALLOWED
1983	Not Available	Approx 1060
1986	25,861	862
1989	18,688	1,172

- 3.62 At the 1990 Commonwealth election, 13,882 provisional votes were issued in Queensland, and 9,705 of these were accepted. Not only do fewer voters have difficulty in casting a vote in Federal elections because their names do not appear on the roll because of error, they have a much better chance of having their vote accepted when they have had a problem.
- 3.63 Ms J. Gamin, the former National Party MLA for South Coast, has supplied the Commission with information on section voting for that electoral district at the 1989 State election, and has expressed concern about the state of the rolls for that district. In her submission (S14) to the Legislative Assembly Electoral Review she stated:

"I am pleased to supply material from the Electoral District of SOUTH COAST which shows up numerous anomalies.

Only 54 section 45 votes were allowed by the Returning Officer for South Coast, representing only about 10% of the number of Section 45 votes claimed.

Hundreds of other persons were turned away from polling booths on the grounds that their names were not shown on the South Coast Roll, and these persons did not bother to make a claim under Section 45.

In the early part of 1989, the Federal Electoral Commission undertook a State wide canvass of the Federal Roll, and the State body made use of this information. An unacceptably high number of legitimate residents had their names removed from the roll, even though they had lived at the same address for some time, and had previously voted as enrolled from that address."

- 3.64 In relation to the electoral district of Merthyr, Ms B Dawson, the Labor Party candidate for the seat in the State election in 1989, stated in her submission (S8) to the Legislative Assembly Electoral Review:

"282 votes were cast under Section 45. Only 12 were allowed by the State Electoral Office.

I found that 122 of these 282 people were enrolled for the May '89 By-Election, but by 31st August '89 their names had been removed from the new roll. These 122 voters who had their names wrongfully removed were also denied the right to have their vote counted as the State Electoral Office did not carry out any further investigation other than checking the 31st August Roll."

Accuracy of the Commonwealth Roll

- 3.65 Questions have also been raised about the accuracy of the Commonwealth roll. The Liberal Party (Queensland Division), which supports retention of a separate State electoral roll, raised several points about the AEC's roll maintenance, including:
- (a) the number of electors removed from the rolls in Victoria and New South Wales after the 1987 Federal election;
 - (b) the retention of the names of dead electors on the roll, with particular reference to the Castlereagh by-election in NSW in 1980;
 - (c) doubts whether the AEC conducts appropriate follow-up action on electors when welcoming letters to new electors and other correspondence from Members and Senators are returned unclaimed; and
 - (d) the appearance of 17 year old provisional voters on the 1988 NSW State electoral rolls.
- 3.66 Documents reviewed by the Commission to investigate these matters have included:
- (a) AEC Submission to the Joint Standing Committee on Electoral Matters, Response to Liberal Party Submission of 31 May 1988, (October 1988);
 - (b) Inquiry into the Operations and Processes for the Conduct of State Elections (February 1989), the Report of the Committee of Inquiry established by the NSW State Government to investigate the 1988 State election;
 - (c) Hansard for the Senate Estimates Committee 15 May 1990 (pp. D25-D33); and the Senate Committee of the Whole debate on "... Electoral Office procedures for maintenance of electoral rolls, taking account of reports of mail return following bulk mail outs.", 23 May 1990, (pp. 840-869); and
 - (d) AEC Submission to the Joint Standing Committee on Electoral matters. Report on the Conduct of the 1990 Election for the Joint Standing Committee on Electoral Matters, (August 1990).
- 3.67 A Joint Electoral Roll has existed in New South Wales since 1928. In connection with the integrity of the electoral system in general, the NSW Committee of Inquiry stated:

"In depth interviews were conducted and the persons concerned were particularly asked to furnish proof of allegations made. Regrettably in the majority of cases it was not possible to elicit definitive information by which alleged malpractices could be proved." (pp. 7-8)

"In fact there is no real evidence that it [electoral fraud] has been practised to the extent that it has effected the result in any electorate." (p. 8)

"Over the years the public's confidence in the electoral system (in NSW) has been eroded due largely to misinformation which has been peddled in the media and otherwise and to lack of information as to the checks and balances which do exist." (p. 10)

3.68 In relation to the state of the rolls in Victoria and NSW at the time of the 1987 Federal election, the AEC has stated that this was due to an early election being called, rather than any problem with roll maintenance within the AEC. Once the election had been called and the roll closed, objection action against those electors who had already been identified by the Electoral Roll Review (ERR) for deletion could not be proceeded with because of the statutory prohibition. Thus those names remained on the roll, but there is no evidence that other persons voted using those identities or that any other malpractice was perpetrated as a consequence. Those names would have subsequently been deleted when the rolls were open again after the election.

3.69 The allegations relating to the Castlereagh by-election were addressed by the NSW Committee of Inquiry which stated:

"A detailed investigation was carried out by officers of the Australian Electoral Commission and it was proved beyond doubt that the allegation was without substance. The investigation proved conclusively that the names of deceased persons had been deleted regularly from the rolls in accordance with established practice ..." (p. 37)

3.70 In relation to the 'cemetery vote' generally, it concluded that:

"The Committee is of the opinion that the impersonation of deceased electors is not a problem of any magnitude and that no action additional to that already taken is warranted." (p. 38)

3.71 The question of letters from Members/Senators being returned undelivered and subsequent AEC follow up action was recently the subject of extensive debate in the Senate. Analysis of the debates would seem to indicate that procedures in relation to returned letters are adequate. From the debates there appear to be two classes of letters sent by Members/Senators: 'welcome to the electorate' letters and direct mail. The first of these are sent on receipt of advice from the AEC of new electors within an electorate accompanied by gummed labels to address the welcoming letters; and the addresses for the second category of letter are taken from tapes of all electors on the roll made available to political parties by the AEC.

3.72 The percentage of such letters returned is difficult to establish accurately from the debates. However Senator McGibbon (Commonwealth Parliamentary Debates (CPD) Senate, 23 May 1990 p. 852) states that he is fairly confident that the rate of return for new enrolments in his experience is nearly 2 percent. Senator Michael Baume states that returns had reached an 'alarming level' (CPD Senate, 23 May 1990 p. 840).

3.73 In relation to direct mail by political parties, the following is a record of an exchange between Senator Parer and Mr Cox, the Electoral Commissioner at estimates hearings:

"Senator PARER - Have you had any complaints on this following the election from particular areas?"

Mr Cox - Not of that kind.

Senator PARER - You have had no direct complaints.

Mr Cox - No.

Senator PARER - I only put that to you because some people - a lot is only anecdotal - conducted direct mail campaigns with incredibly large returns, like 4,000, 5,000, or 6,000 in an electorate.

Mr Cox - That is the first I have heard of it. That is returns to parties?"

Senator PARER - Yes.

Mr Cox - No. That information would not come to us, except in an anecdotal way, and I have not even heard that. (Senate 15 May 1990, D 30)

3.74 Senator Bolkus, the responsible Minister, made several points during the debate, including a reference to a survey of "close of roll rush" enrolments being conducted by the AEC for the Joint Standing Committee. The AEC advises that the report of the survey will not be available until it has been lodged with the Joint Standing Committee and released by the Committee. Points made by the Minister during the debate included:

"The Electoral Commission advises that confirmation of an elector's eligibility to remain on the roll is sought when members or senators advise that welcome-to-the-electorate letters have been returned." (CPD Senate, 23 May 1990 p. 842).

and in relation to tapes used for direct mail:

"They were tapes which show electors by residence in September 1989, some six months before the election. Naturally there was some movement between the time of making the tape and the time of the mailing out by members or senators, so we should take into account that perhaps those tapes should not be seen as the most appropriate way for comprehensive checking of whether people are or are not in the electorate" (CPD Senate, 23 May 1990 p. 842)

In relation to the survey of new electors mentioned above Senator Bolkus commented:

"preliminary analysis of a small sample of the data suggests that the return-to-sender mail is not a totally reliable indication that the elector no longer resides at the enrolled address. For example the data shows that a significant proportion of returned mail was due to very slight errors in the addresses keyed into the enrolment system. ... It is quite clear also from the surveys that some people object to direct mail from any source ... Although living at the address, they indicate 'return to sender'." (CPD Senate, 23 May 1990 p. 842)

and further in relation to the survey:

"that large numbers of electors legitimately on the roll at the close of the rolls had moved to a new address within one month of the polling date." (CPD Senate, 23 May 1990 p. 842)

- 3.75 The AEC agrees that provisional voters were accidentally printed on the certified lists for the 1988 NSW State election. However the AEC stated in its submission to the Joint Standing Committee on Electoral Matters:

"The problem was identified by standard quality checks and corrected in ample time to prevent any use of a defective certified list taking place. It was an error which did not occur at the previous federal election, or at any of the other by-elections and elections since then for which the Electoral Commission has roll responsibility for the production of certified lists. It should be noted that the error with the State rolls has been turned into claims that provisional voters' names have appeared on other rolls, which has not been the case." (p. 17)

- 3.76 In its report on the conduct of the 1990 Federal election (pp. 5-7) the AEC stated:

"During 1989 the entire Commonwealth roll was subjected to a comprehensive computer search for possible duplicate enrolments and was significantly cleansed. The automated duplicate search process is now being incorporated into day to day enrolment processing.

Since under RMANS a number of update runs can take place between the close of rolls and the final production of certified lists and other documents ... all detected errors are corrected prior to production. This significantly enhanced the integrity of the data stored in the files after the final processing of enrolments for the election.

Improved roll accuracy ... is undoubtedly a factor in the apparent increase in voter turnout as a proportion of enrolments at the 24 March election."

- 3.77 In their paper to EARC, the AEC stated that "the capacity to cope automatically with changes in the spelling, order or form of names and dates of birth has significantly enhanced the order of accuracy of the AEC nationally maintained database" (p. 5).

- 3.78 At the AEC/SEO/EARC meeting on 8 August 1990, the AEC advised:

"However in the March 90 Federal election, the Commonwealth roll in NSW was very accurate, and there was not an undue number who came to vote and who were not on the roll. A higher proportion of turnout was further proof of the better roll." (Minutes of meeting 8 August 1990, p3)

- 3.79 From its investigation of the electoral roll question, which has included discussions with the Department and the AEC, review of public reports and parliamentary debates, and information supplied in public submissions, the Commission is of the opinion that the Commonwealth roll, as administered by the AEC, offers significant advantages over the State roll on the criteria of integrity and accuracy. However it also recognises that no roll will ever be perfect.

Recommendations

- 3.80 In respect of the issues discussed in this chapter the Commission recommends that:

ENROLMENT QUALIFICATIONS AND DISQUALIFICATIONS

- (a) State enrolment qualifications should be the same as the current Commonwealth qualifications, namely:
 - (i) A period of one month should be adopted as the residential qualification for enrolment in an electoral district.
 - (ii) The Commonwealth criteria for eligibility of non-Australian British subjects should be adopted, with the proviso that any non-Australian British subjects currently on the State roll be retained on the roll for State elections.
 - (iii) The Commonwealth provisions should be adopted for the enrolment of itinerant electors, electors travelling overseas and Antarctic workers.
 - (iv) The Commonwealth provisions for provisional enrolment for 17 year olds should be adopted.
- (b) The State should adopt the disqualification criteria for prisoners and persons of unsound mind specified in the Commonwealth Electoral Act.
- (c) Legislation to effect these changes should be drafted as a matter of priority.

ACCESS TO ROLL INFORMATION

- (a) The published State and Local Government rolls should contain only the elector's surname, given names, address and the notation JP if applicable, and the fields on the current published roll showing occupation, gender and date of claim should be deleted.
- (b) The State agency responsible for roll maintenance should also be responsible for determining right of access to non-published roll data in accordance with any State privacy legislation that may be promulgated.
- (c) Current provisions for access to roll information in electronic form by MLAs, duly nominated candidates, local authorities and community councils, should be maintained, including information on elector's occupation, gender and date of claim.
- (d) Electronic access should be only for the use prescribed as discussed in para. 3.56.

USE OF ROLL INFORMATION BY STATE AUTHORITIES

- (a) **State Government Departments should continue to have unrestricted access to published roll data and the enrolment claim card should be suitably amended to indicate to electors that these uses of roll data are being allowed.**
- (b) **Provision should also be maintained for the Health Department to access the electronic roll for the purposes of its Public Health programs such as the TB program.**
- (c) **Provision should be made for on-line access to the database by the Sheriff for the purpose of compiling jury lists.**
- (d) **The use of the electoral roll to maintain a register of State Justices of the Peace should be continued.**

CHAPTER FOUR

JOINT ELECTORAL ROLL ARRANGEMENTS

Joint Electoral Roll Arrangements in Other States

- 4.1 In its 1985-86 Annual Report, the AEC provided a concise history of the Joint Electoral Roll Arrangements concluded by the Commonwealth with other States and Territories:

"The first Joint Electoral Roll agreement was with Tasmania in 1908. This was followed by an agreement with South Australia in 1920, Victoria in 1924 and New South Wales in 1929. Western Australia entered into a joint agreement in 1983; and the Northern Territory in 1989. The ACT used the Commonwealth roll for the 1989 election".

- 4.2 The major features of these joint Arrangements are set out in Appendix L. A common feature is that the AEC is solely responsible for the maintenance of the Joint Electoral Roll through processing new enrolments, amending enrolments, and initiating and determining objections.
- 4.3 A consequence of these Arrangements being negotiated at different times is that they have substantial differences, reflecting the changing needs and priorities of the States and the Commonwealth over time. For instance, for NSW and Victoria, where the Arrangements were negotiated in the 1920s, there is little emphasis on financial aspects, whereas those Arrangements negotiated in the 1980s reflect the increasing priority of financial management within the public sector, and the management of information through computer databases.
- 4.4 Copies of the Arrangements for SA and WA, because they are the most recent, and because they are, in that order, the two preferred options for Queensland advanced by the Department, are attached as Appendix M.
- 4.5 Because of the significant differences in the Arrangements between the States, the costs born by each State are not directly comparable, as they cover different services and/or different levels of service. For example:
- (a) In NSW where the Arrangement only covers forms, cards, and pro-forma material, the average annual cost for NSW was \$97,811 for the period 1981-87 (NSW Committee of Inquiry, p. 16).
 - (b) For 1990/91, South Australia has budgeted \$146,000 for roll maintenance, \$400,000 for the Habitation Review, and \$290,000 to the State Computer Centre for roll processing, giving a total cost of \$836,000.
 - (c) In WA, the average annual payment to the Commonwealth over the last three years has been \$262,000. In addition, WA maintains its own computer system with data supplied from the AEC. In 1990/91, the cost of this system will be approximately \$750,000, giving a total annual cost of approximately \$1,000,000 for WA's roll maintenance program.

Current Commonwealth and Department of Justice and Corrective Services Positions on Joint Electoral Rolls

- 4.6 In their public submission, and during discussions, the Department of Justice and Corrective Services has indicated a first preference for the South Australian model, and a second preference for the West Australian model (S11), both of which are outlined below. At the meeting on 8 August 1990, the Department suggested that:

"A solution might be a staged development along the lines of:

1. *Joint processing (as in WA).*
2. *Joint database further down the track (as in SA).*
3. *If a Joint Electoral Roll were to be implemented now, then the South Australian model was preferred." (Minutes of Meeting 8 August 1990 p. 3)*

- 4.7 The Commission has significant reservations about the models preferred by the Department.

- 4.8 The WA Electoral Commission maintains its own database for the compilation of State and Local Authority rolls primarily from tapes of elector transactions supplied by the AEC. A major problem of systems which share data sources but maintain their own database is that, over time, the databases, theoretically equivalent, inevitably diverge. This has certainly been the experience in WA. After the recent WA Local Government elections there was widespread criticism of the rolls provided by the WA Electoral Commission (WAEC). The following is an extract from the 'West Australian' of June 25 1990:

"Plans for the State Electoral Commission to oversee future municipal elections have been criticised by local government.

The WA Municipal Association and the Institute of Municipal Management reacted angrily on Friday to the proposal by Local Government Minister Gordon Hill in Parliament earlier in the week.

IMM president Graham Partridge said Mr Hill's comments implied returning officers were to blame for the allegations of electoral abuses surrounding the recent municipal polls.

Mr Partridge said such a suggestion was a slur on the professional officers of local government who over many decades had run fair and democratic elections.

He claimed the problems which had arisen at the May 5 polls were due to the failure of the commission to provide local councils with accurate electoral rolls.

The State Government was to blame also because it had ignored a request by returning officers, made more than a year ago, to amend the wording of statutory declaration on electoral forms.

Instead, Mr Hill should tighten the voting system and ensure state electoral rolls had no errors."

4.9 A report, The Supply of Enrolment Transaction Data to, and Subsequent Processing by, the Western Australian Electoral Commission (the Nash Report), has recently been completed on the WA situation. The Report highlights the problems associated with maintaining separate databases from the same information. The Nash Report points out that 35% of enrolment transactions supplied to the WAEC by the AEC, and which have been successfully processed for the AEC system, are rejected by the WAEC system and require manual intervention to adjust. To rectify these problems, and ensure they do not recur, will require ongoing commitment of resources. The report stated:

"The most significant impact of these rejected transactions is the amount of human effort required to correct them, and the delays that occur, particularly in the production of election materials, because of it." (p. 4).

"What remains will require a concerted effort from both state and federal Commissions to eliminate the identified problems and prevent future recurrences." (p. 13).

4.10 The major criticism of the South Australian model is that it is not part of the national AEC database. In South Australia, all data processing and roll management is performed by the AEC, and each AEC divisional office is on line to the mainframe computer. However, in South Australia, the Commonwealth electoral roll is maintained on a State computer, not the AEC system used in all other States. As a consequence all interstate transfers must be processed through taped transactions, and cannot be done on-line. This is a significant deficiency as up to 20% of transactions, based on data from the close of rolls for the last Federal election, can be interstate transfers.

4.11 The AEC view differs somewhat from that put by the Department. It identifies four main reasons for preferring a Joint Electoral Roll:

- "(a) Elector convenience. Although the joint card introduced in 1986 increased simplicity, many electors assume there is only one roll, are confused by separate State and Federal maintenance procedures, and can become irritated by differing qualification criteria;*
- (b) Reduced overall cost to the community;*
- (c) The need to underpin the credibility of the roll in the eyes of the public.*
- (d) The advantages of a national database allowing instantaneous update of interstate transfers".*

(AEC Paper on Joint Electoral Roll Arrangements, pp. 1, 5)

4.12 The Joint Electoral Roll model preferred by the Commonwealth is one that:

- (a) is a common roll;
- (b) has a single database maintained by the AEC and linked to a National system;
- (c) provides a facility allowing State access for its purposes;
- (d) shares costs equally between State and Commonwealth;
- (e) provides for the on-line computerisation of all AEC divisional offices, with a contribution by the State towards the initial capital costs of computerisation; and
- (f) is managed by a Joint Commonwealth/State Management Committee.

(AEC Paper on Joint Electoral Roll Arrangements, pp. 3-4).

- 4.13 The various Joint Electoral Roll models and arrangements negotiated over the years have reflected needs and priorities existing at those times. It is therefore necessary that any Joint Electoral Roll agreed to between Queensland and the Commonwealth, meets the needs of electors, and State and Commonwealth administrations alike. Queensland would be in a good position to negotiate an Arrangement which combines the best features of previous experience and which can serve as a model for other States in future. This Commission does not believe it should be simply a question of Queensland adopting either the Western Australian or South Australian model.

Problems with Joint Electoral Rolls in Other States

- 4.14 EARC has sought and examined information from the following sources in its investigation on problems associated with current Joint Electoral Roll Arrangements:

- (a) Western Australian Electoral Commission;
- (b) South Australian State Electoral Officer;
- (c) the Department of Justice and Corrective Services submission;
- (d) the AEC;
- (e) "Inquiry into the Operations and Processes for the Conduct of State Elections, February 1989", the Report of the Committee of Inquiry established by the NSW State Government to investigate the 1988 State election; and
- (f) "The Supply of Enrolment Transaction Data to, and Subsequent processing by, the Western Australian Electoral Commission", report by Russell Nash, Computer Sciences of Australia, May 1990 (the Nash Report).

- 4.15 It should be noted that in addition to the problems specific to any State, there is a common thread of concern in all States regarding the operation of their Arrangements. These concerns relate to States perceiving they have no control or input into the management of the roll and not being able to get adequate access and priority for their needs. The following illustrates these points:

- (a) *"...consultation and information exchange on the impact of procedural and computer changes need to be improved.*

Differing priorities between the AEC and the WAEC can result in delays. For example the processing of WAEC queries as a result of the 1989 State general election was delayed because of a Commonwealth habitation review.

More consultation on policy changes is required on matters such as silent enrolments and availability of roll information which impinge on and influence the activities of the WAEC." (Correspondence from the Western Australian Electoral Commission 23 August 1990)

- (b) Discussing the establishment of a new Joint Electoral Roll Arrangement the South Australian Electoral Commissioner has said:

"... those States with Canberra-based joint agreements could not operate as effectively as we could.

Compounding the problem was the need for the State office to maintain rolls for Local Government purposes." (Correspondence from the SA State Electoral Commissioner 8 August 1990)

(c) The New South Wales Committee warned:

"While recognising that the Australian Electoral Commission has always been most co-operative in providing information in terms of the Joint Electoral Roll Agreement, the Committee considers that the State Electoral Office has been badly served so far as access to roll information is concerned.

The Committee believes that the Joint Electoral Roll Agreement is fundamentally sound. However, from the State's point of view, the application of the principles embodied in it leave much to be desired. With all the best will in the world, the Australian Electoral Commission is unable to make available to the State Electoral Office the facilities and information it needs in order to play an active part in the roll maintenance process." (NSW Committee of Inquiry Report, pp. 9-16).

- 4.16 These comments highlight the need for any Joint Electoral Roll to be properly managed if it is to produce the benefits that are outlined in this report. They do not reveal problems that have not been addressed elsewhere in this report, but do indicate the need for a proper management strategy. In its paper, the AEC has acknowledged the need for a proper management strategy for the implementation and operation of a Joint Electoral Roll. The Department has emphasised the need for the State to maintain an input into the operation of a Joint Electoral Roll. Management implies ongoing responsibility for the Joint Electoral Roll in relation to accuracy, integrity, published rolls and certified lists.
- 4.17 Consideration of these important concerns has led the Commission to the conclusion that, for any Joint Electoral Roll Arrangement to be effective for Queensland, the establishment and effective operation of a Joint Electoral Roll Management Committee are essential.
- 4.18 As part of any joint management of the roll, it would be necessary for the State to have on-line access to the roll. For the State to share the responsibility of any Joint Electoral Roll, it must be responsible for the updating of those fields that solely support State-only functions, such as the Jury Lists, Justices of the Peace, and Health Department Programs. The State must also retain the right to object to any name on the roll as a result of information it receives from any source and for the objections to be processed subject to statutory provisions generally applied.

CHAPTER FIVE

CAPACITY OF THE COMMONWEALTH TO MEET QUEENSLAND NEEDS

Technical Considerations

- 5.1 The Commonwealth computer system, RMANS (Roll Management System), was introduced in 1988/89. It is currently a street based system, i.e. it allocates Commonwealth electors on the basis of street segments recorded in its address file. For example in the street file, 15-79 Smith Street might be allocated to a particular division. Any person lodging an enrolment claim that shows an address within that range will be allocated to that division.
- 5.2 RMANS uses CCDs as its basic geographic unit. This provides management information on small areas and allows the comparison of actual and predicted enrolment activity with a wide variety of demographic data. The redistribution process is also more precise when CCDs are used as a base unit.
- 5.3 In Queensland, all cards received by the twenty four AEC divisional offices are forwarded to a central unit in Brisbane. The database is interrogated on-line, and all valid transactions are batched and processed overnight. The AEC database is national (except for SA), and interstate transfers are handled automatically.
- 5.4 Because of Joint Roll Arrangements with other States, RMANS has fields for State electoral district, Local Authority and Local Authority division/ward, but holds no data for these fields in Queensland. In relation to its capacity to operate a Joint Electoral Roll with support for current State functions the AEC has advised that:
 - (a) RMANS is progressively moving towards an address based system.
 - (b) The AEC is in the process of gathering data on all addresses in Australia and the conclusion of the next habitation review in each State should see this task substantially completed. Programs are being prepared to capture this data.
 - (c) Because of its decentralised office structure, the AEC is ideally placed to build up extensive local knowledge through regular contact with local government and fieldwork.
 - (d) It is planned to provide on-line facilities for all divisional offices in Queensland, and a Joint Electoral Roll Arrangement should facilitate this.
 - (e) RMANS is moving towards full on-line processing and the elimination of batch processing. This will create a fully national on-line current database.
 - (f) RMANS is steadily progressing towards a single address base (spot on the earth) system.
 - (g) RMANS can currently support all on-line address based matching provided by the State system.

- (h) Although the State system is technically address-based, it operates in the same way as RMANS, i.e. on street segments.
- (i) RMANS has sufficient surplus capacity to meet Queensland needs, though to fully support current State functions would require additional development and this would need to be carefully assessed.
- (j) The AEC has a negotiated level of service agreement with the Federal Department of Administrative Services, on whose mainframe RMANS operates, and the AEC is willing to renegotiate that agreement to include Queensland priorities.
- (k) Any Joint Electoral Roll would be on the basis of full access by both parties to the database, with the State responsible for updating those fields which support State functions only, but the capacity to add and delete names would be purely an AEC responsibility.
- (l) A joint Commonwealth /State Management Committee would be established to manage the introduction and operation of any Joint Electoral Roll Arrangement.

(Minutes of Meeting 8 August 1990)

Local Government Concerns

- 5.5 Issues relating to support for Local Government rolls under any Joint Electoral Roll Arrangement were discussed previously (paras 3.1-3.7). In particular it has been noted that there has been support for the introduction of a Joint Electoral Roll from Local Authorities and from the Local Government Association. It has also been noted that in order to support these functions, the RMANS system will require further development and special data capture.
- 5.6 The Commission is of the opinion that these requirements, while significant, are manageable and should not impede the introduction of a Joint Electoral Roll.

Commonwealth Views on Supporting Queensland Systems

- 5.7 The AEC is supportive of the introduction of a Joint Electoral Roll for the reasons of elector convenience, cost and credibility with electors. The Commonwealth recognises the need for:
 - (a) Queensland to have ready access to roll data for its own uses;
 - (b) Queensland to maintain those fields in the database that are there solely for State purposes; and
 - (c) the State to be involved in the management of the implementation and operation of any Arrangement through a Joint Management Committee.

- 5.8 The Commission is aware that considerable development work must be carried out by the Commonwealth before the AEC system can fully support necessary State functions.

Recommendations

- 5.9 The Commission recommends that any Joint Electoral Roll Arrangement should be negotiated only after the Commonwealth has agreed to the Queensland Government's satisfaction that:
- (a) It can provide electoral rolls to support both Legislative Assembly and Local Government elections according to a timetable acceptable to Queensland.
 - (b) All regional offices of the AEC will have on-line computer facilities within an acceptable time-frame.
 - (c) That any conflict arising from simultaneous competing needs for roll information from the Commonwealth and Queensland will be resolved promptly and acceptably to both parties.
- 5.10 The Commission further recommends that performance criteria, and to the extent possible performance indicators, should be negotiated and form part of the Arrangement to allow proper monitoring of the implementation of any Joint Electoral Roll.

CHAPTER SIX

COSTS AND SCHEDULING

Cost Estimates by the Commonwealth

- 6.1 In their paper on a suggested approach to a Joint Electoral Roll in Queensland, the AEC has provided a schedule of indicative costs. This schedule is included in this report as Appendix N. The detailed costing includes: printing; computer; postage; electoral roll review; education; mainframe processing; system maintenance and development; as well as provision of dedicated system development and support staff to implement State functions. The Commonwealth estimates that the total recurrent cost to Queensland, for the Joint Electoral Roll system they recommend, would be of the order of \$1,050,000.
- 6.2 Not included in this cost is the establishment of on-line facilities at all AEC Divisional Offices in the State. This is estimated by the AEC as a one-off capital cost of \$400,000. According to the AEC, if the State entered a joint arrangement, and was prepared to share this cost, divisional offices could, subject to funding, be computerised in about a year, resulting in a considerable improvement in roll quality and the timely availability of roll information to users.
- 6.3 The AEC has also advised that RMANS costs would be reduced once processing became fully on-line because current batch processing replicates on-line interrogation. The \$525,000 figure included in the indicative costs in the submission would go down by a third. This would provide a reduction of \$175,000 in annual indicative costs down to \$875,000.

Cost Comparison - Separate and Joint Electoral Rolls

- 6.4 According to figures supplied by the Department, and discussed previously at para. 2.13, the average annual cost to Queensland for maintaining and operating the independent State Electoral Roll over the last three years has been \$1,836,351.
- 6.5 However it is difficult to obtain a figure for the complete cost of maintaining the State electoral roll. For example, included in the administrative costs advised by the Department is an amount of \$30,329 for the storage of election material, which is clearly not associated with roll maintenance. Also for the financial year 1989/90, the amount advised for postage and phones is only \$15,987 compared to \$125,230 and \$97,246 for previous years. This large difference may be due to the Department allocating roll maintenance costs to conduct of election expenditure in an election year, as elections invariably cause a large increase in roll transactions.
- 6.6 These difficulties and possible inconsistencies notwithstanding, the Commission estimates that the cost saving to Queensland flowing from the adoption of a Joint Electoral Roll with the Commonwealth is of the order of approximately \$1,000,000 per year.

Scheduling Constraints on the Introduction of a Joint Electoral Roll

- 6.7 There are a number of events of electoral significance for both the Commonwealth and the State of Queensland over the coming months:
- (a) possible changes to internal local government boundaries;
 - (b) the 1991 Local Government elections;
 - (c) a redistribution by EARC in 1991 of Legislative Assembly seats;
 - (d) an electoral roll review by the AEC between October 1990 and March 1991; and
 - (e) a redistribution of Commonwealth divisions, including the creation of an additional division, in 1991.
- 6.8 These events, in conjunction with the development issues outlined in this report, impose significant constraints on the implementation of a Joint Electoral Roll. The first State-based election conducted on the Joint Electoral Roll must proceed without problems, and be as free as possible of complaints from the public. This could not be guaranteed, or reasonably expected, were an attempt to be made to utilise the Commonwealth roll prematurely.

Recommendations

- 6.9 Having considered these implementation issues, the Commission recommends the introduction of any Joint Electoral Roll should proceed according to the following timetable as far as practicable:
- (a) negotiation of a Joint Electoral Roll Arrangement by the State with the Commonwealth by 31 December 1990;
 - (b) implementation of the Joint Electoral Roll during 1991, and to be fully operational no later than 31 December 1991.

CHAPTER SEVEN

CONCLUSION

Advantages and Disadvantages of a Joint Electoral Roll

7.1 The Commission considers that a Joint Electoral Roll Arrangement should be negotiated with the Commonwealth because the Commonwealth system, provided some necessary developmental work is satisfactorily completed, has the capacity to satisfy Queensland's electoral roll needs. In its assessment of the arguments for and against the adoption of a Joint Electoral Roll, the Commission has used the following criteria:

- (a) integrity of the roll database;
- (b) costs to Queensland;
- (c) public perceptions and convenience; and
- (d) support for the State's administrative needs.

7.2 The arguments for adopting a Joint Electoral Roll are based primarily on:

- (a) lower overall cost to the community, through elimination of duplication;
- (b) the greater accuracy of the Commonwealth roll, and therefore a higher public acceptance of the legitimacy of the electoral system; and
- (c) greater convenience to electors.

These arguments are reflected in the submissions which supported a joint roll. The only submission which argued against a joint roll was the Liberal Party's (S16). The Liberal Party's concern was that Queensland should maintain control over its own roll, in order to be able to ensure the integrity of the entire electoral process. In the Commission's view this problem can be addressed by its proposed joint management arrangements (See para. 4.17 above).

7.3 The arguments for the retention of a separate State electoral roll are based on:

- (a) the need to support State systems and functions such as Local Authority Rolls, Jury Lists, Justice of the Peace Register and Health Department Programs;
- (b) the superiority of the State address-based computer system over the Commonwealth part-street based system; and
- (c) the need to maintain State control over State functions, and to avoid conflict between State and Commonwealth priorities.

7.4 The Commission has carefully considered these arguments and presents its findings in this report. The Commission has concluded that a Joint Electoral Roll, based on the recommendations in this report, is superior to retention of the present roll because it will provide:

- (a) greater integrity of the roll database, and therefore greater public confidence in the legitimacy of electoral outcomes;
- (b) significantly lower cost to the State, with savings estimated to be in the order of \$1 million per annum;
- (c) greater convenience to electors through uniform eligibility criteria;

- (d) capacity to support all State systems currently provided by the State electoral roll, as well as the retention of State input into the management of the roll through:
 - (i) a Joint Management Committee;
 - (ii) State on-line access to the database and capacity to raise objections to names on the roll;
 - (iii) the State retaining responsibility for the updating of fields for State purposes.

7.5 Adoption of Commonwealth enrolment eligibility criteria will bring Queensland into line with the other Australian States and Territories and allow the adoption of the Commonwealth roll, thereby eliminating duplication of processing. Whilst allowing for Queensland's financial contribution to the maintenance of a Joint Electoral Roll, there will be substantial cost savings for Queensland.

Preferred Joint Electoral Roll Model For Queensland

- 7.6 The preferred Joint Electoral Roll model for Queensland is one that incorporates:
- (a) a single, common database administered by the AEC, with common eligibility criteria with the Commonwealth with the proviso that all current validly enrolled electors on the State Roll are retained on the Joint Electoral Roll;
 - (b) full support of existing State functions in relation to; Local Authority rolls, Jury Lists, Justices of the Peace, and Health Department Programs;
 - (c) full on-line access for the approved State instrumentalities;
 - (d) a Joint Management Committee consisting of the AEC and the Department; and
 - (e) the establishment of performance criteria, to enable monitoring of the implementation of the Joint Electoral Roll.

Legislative Implications

7.7 State legislation, specifically Parts III, IV and V of the Elections Act 1983-1989 will need to be amended to reflect the recommendations of this report. Other State Acts, specifically the Jury Act 1929-1988, Justices of the Peace Act 1975, City of Brisbane Act 1924-1990, Local Government Act 1936-1990, and Community Services (Aborigines) Act 1984-1986 Community Services (Torres Strait) Act 1984-1986 will need to be reviewed in the light of these recommendations.

Postscript

7.8 It is of some concern that proposals have been made previously for the adoption of a Joint Electoral Roll regime in Queensland but this has never occurred. Unlike other States, Queensland has persisted with an independent roll which has been the focus of criticism for unacceptable levels of inaccuracy. While it concedes that the Commonwealth roll is not perfect, the Commission has determined that the level of accuracy enjoyed by the Commonwealth roll is superior and should be adopted in total. The Commission's confidence in the Commonwealth roll is demonstrated by its proposal to use that roll for carrying out the redistribution of Legislative Assembly electoral districts during 1991 in preference to the State electoral roll.

- 7.9 The Commission has been concerned that it took six years to implement a Joint Enrolment Card. Such delays must not be allowed to occur with the implementation of the Joint Electoral Roll. They retain inefficiencies and involve avoidable continuing waste of public resources.
- 7.10 The Commission is aware that the Queensland computer system supporting the current State roll is a highly developed tool, but its impressive technical capabilities are not a sufficient reason to maintain an independent roll, particularly since the AEC's RMANS system will shortly have similar functionality in addition to its other advantages. Further development of the Queensland system should be curtailed before any additional funds are allocated.

Recommendations

- 7.11 **The Commission therefore recommends:**

ESTABLISHMENT OF A JOINT ELECTORAL ROLL

- (a) A Joint Electoral Roll Arrangement should be negotiated by the Queensland Government with the Commonwealth Government, to be effected as soon as practicable. The Commission further recommends that the existing Commonwealth Roll should form the basis of the Joint Electoral Roll.
- (b) A Joint Electoral Roll Management Committee should be established to assist with the negotiation of the Arrangement and implement the Joint Electoral Roll Arrangement subsequently. The Joint Electoral Roll Management Committee should consist of senior officers of the Australian Electoral Commission (AEC) and senior officers of the Department of Justice and Corrective Services.
- (c) The form of the Joint Electoral Roll to be adopted by Queensland should incorporate:
- (i) A single database which is compatible with the National standard.
 - (ii) Management of additions to and deletions from the database should be undertaken by the AEC.
 - (iii) On-line access to the database should be provided to the State Electoral Office (SEO) and other authorities approved by the Queensland Government so that maintenance of State data fields can be performed.
 - (iv) Production of electoral rolls for Legislative Assembly and Local Government elections should be the responsibility of the AEC.

CHAPTER EIGHT

ACKNOWLEDGEMENTS

- 8.1 The Commission wishes to express its appreciation to all persons and organisations who provided their views to the Commission. The Commission also wishes to express its appreciation to the following members of its staff who assisted the Commission in the conduct of this review, namely, Mr John Greenaway, Mr Alex Bogicevic, Ms Lyn Doblo and Ms Wendy Rikihana.
- 8.2 The Commission also wishes to acknowledge the assistance provided by officers of the Department of Justice and Corrective Services including the State Electoral Office, and officers of the Australian Electoral Commission and other State and Territory electoral bodies in the preparation of this Report.
- 8.3 Finally, this report was adopted unanimously at a meeting of the Commission held on 5 October 1990. All Commissioners - the Chairman, Commissioner Hall, Commissioner Hughes, Commissioner Hunter and Commissioner Watson Blake - were present at the meeting.



TOM SHERMAN
Chairman

23 October 1990

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NOTICE OF ELECTORAL ROLL REVIEW - ADVERTISEMENT



QUEENSLAND

**ELECTORAL AND
ADMINISTRATIVE
REVIEW
COMMISSION****NOTICE OF QUEENSLAND ELECTORAL ROLL REVIEW**

The Commission is reviewing the Queensland State Electoral Roll system as part of its investigation of the Legislative Assembly electoral system.

An electoral roll review Issues Paper is now available for perusal at Magistrates Courts and Public Libraries throughout the State, and at the Commission's offices. Persons wanting a copy of the Issues Paper should contact the Commission on Ph. 237 9862 (Brisbane callers) or 008 177154 (Country callers).

The basic issues being addressed in the review are:

- (a) whether there should be a joint roll for Queensland and the Commonwealth;
- (b) qualifications and disqualifications for enrolment;
- (c) legitimate uses for electoral roll information; access to electoral roll information; and the need for any confidentiality provisions;
- (d) procedures for maintaining the accuracy of the electoral roll and enforcing compulsory enrolment.

Written public submissions are being sought on these and any other State Electoral Roll issues. *Written submissions should be sent to the Commission by 15 June 1990.* The address for written submissions is:

**ELECTORAL AND ADMINISTRATIVE REVIEW COMMISSION
PO BOX 349
NORTH QUAY QLD 4002 (REFERENCE PO1/106)**

All submissions received will be available for public inspection in the Commission's office from 18 June 1990.

Commission Address: Level 8, Capital Hill, 85 George St, Brisbane.
Telephone: (07) 237 1185; **Facsimile:** (07) 237 1990.

**TOM SHERMAN,
Chairman, 26 May 1990.**

LIST OF PUBLIC SUBMISSIONS

Submission Number	Name and Organisation	Address
1	PE Pechey	MS 115 GYMPIE 4570
2	D Jordan	4 Kefford St WELLINGTON POINT 4160
3	I Olsen	23 Nepeta St RUNCORN 4113
4	J Wakely	22 MacDonald St LOTA 4179
5	A Sandell	Lot 85 Greensward Road TAMBORINE 4270
6	A Tate	PO Box 66 MAROOCHYDORE 4558
7	E Green Sheriff's Office Supreme Court	PO Box 167 NORTH QUAY 4002
8	J FitzGerald	"Glenelg", CEMENT MILLS 4352
9	H Baker	PO Box 211 WEST END 4101
10	P Donnelly Aboriginal & Torres Strait Islander Commission	GPO Box 2472 BRISBANE 4001
11	J Hincks Department of Justice & Corrective Services	GPO Box 1601 BRISBANE 4001
12	W Swan Australian Labor Party	TLC Building 32 Peel St SOUTH BRISBANE 4101
13	P Berthold Brisbane City Council	GPO Box 1434 BRISBANE 4001
14	J Quinn Ipswich City Council	PO Box 191 IPSWICH 4305
15	Citizens for Democracy	PO Box 998 TOOWONG 4066
16	D Beanland Liberal Party of Australia (Qld Div)	Parliament House, George St BRISBANE 4000
17	M Kidd Rockhampton City Council	PO Box 243 ROCKHAMPTON 4700

Submission Number	Name and Organisation	Address
18	G P Sorensen Esk Shire Council	PO Box 117 ESK 4312
19	G Hoffman Local Government Association of Queensland	PO Box 130 NEWSTEAD 4006
20	G Bell Amity Point Progress Association	4 Cook St AMITY POINT 4183
21	Hon D Wells Attorney-General	GPO Box 149 BRISBANE 4001
22	K Ashworth Mt Isa City Council	PO Box 815 MT ISA 4825
23	T Wehlow Chinchilla Shire Council	PO Box 42 CHINCHILLA 4413
24	R Van Wegen Australian Community Action Network	PO Box 1693 ASHFIELD NSW 2131
25	Senator M Macklin	8 Lockhart St WOOLLOONGABBA 4102
26	J Tiplady	26 Patrol St JAMBOREE HEIGHTS 4074
27	T Tolhurst Queensland Dept of Health	GPO Box 48 BRISBANE 4001
28	D Beanland Liberal Party of Australia (Qld Div)	Parliament House, George St BRISBANE 4000

**COMPARISON OF STATE AND COMMONWEALTH
LEGISLATION ON JOINT ELECTORAL ROLLS**

QUEENSLAND

Elections Acts 1915-1962
(Section 18)

This section provides that the Governor and Governor-General may arrange "... for the preparation, alteration, and revision of the rolls ... jointly by the State and Commonwealth to the intent that the rolls may be used as electoral rolls for State elections as well as for Commonwealth elections."

Elections Acts Amendments
Act 1965

As above

Elections Acts Amendments
Act 1971

As above

Elections Acts Amendments
Act 1976

As above

Elections Act 1983-1989
(Section 29A)

Governor and Governor-General may arrange "... for the operation in the State of a co-ordinate enrolment procedure ... and ... for the use of joint State and Commonwealth enrolment form."

COMMONWEALTH

Commonwealth Electoral Act
1918 (Section 84)

The Governor-General and Governors of States and the Northern Territory may arrange "... for, or for the carrying out of a procedure relating to, the preparation, alteration, or revision of the Rolls, ... jointly by the Commonwealth and the State ... for the purpose of the Rolls being used as Electoral Rolls for State elections ... as well as for Commonwealth elections, or for any other purpose."

SUMMARY OF PARTS III, IV, & V OF ELECTIONS ACT 1983 -1989

PART III - ELECTORAL ROLLS

Section No.	Summary of Section
14	Creates rolls of electors for each electoral district.
15	General Rolls. Contain alphabetical listing of electors for each district who have lodged claims up to the prescribed date. Produced at least every two years; electors numbered in regular arithmetical sequence. Supplemental Rolls. Contain alphabetical listing of electors for each district who have lodged claims since the last prescribed date. Produced before general and by-elections; arithmetical sequence continues from general roll. Existing Roll. Comprises the general plus supplemental roll.
16	The Governor in Council may declare a roll to be validly completed if there is an error in the alphabetical listing, arithmetical numbering, address or occupation of electors, provided that such errors are not likely to mislead.
17	Rolls to include surname, christian names, sex, place of living and occupation and other particulars as prescribed in the Regulations (currently this includes date of claim).
18	Published rolls, together with additions and deletions are available for public inspection without fee, at such places within each electoral district as the principal electoral officer directs.
19	Copies of the roll shall be obtainable in that district for a prescribed fee, (currently \$6.40 for general rolls and \$1.70 for supplemental rolls).
20	State and Local Government employees authorised to assist the Principal Electoral Officer in the preparation and revision of the rolls.

PART IV - ENROLMENT QUALIFICATIONS
AND DISQUALIFICATIONS

21	Either an Australian Citizen, OR a British Subject who was enrolled on the State roll or the Commonwealth roll in any other State or Territory at some time during the period 1 May 1983 to 1 August 1983, who has resided continuously in the electoral district for a period of three months.
22	Members of the Defence Forces aged 18 and over, not an elector, serving outside the Commonwealth, and has lived in a district for three months, and is an Australian citizen, is entitled to a postal vote.

- 23 Persons mentally ill and incapable of managing their estate, or persons convicted of an offence, imprisoned for six months or more and serving that sentence, are disqualified.
- 24 The PEO must remove the names of persons becoming disqualified as soon as the disqualification comes to his/her notice.

PART V - ENROLMENT

- 25 Names are added to rolls pursuant to claims and applications for transfer.
- 26 Any person qualified to enrol, may lodge a claim on the prescribed form, duly signed and witnessed.
- 27 On receipt, claim forms are noted with the time and date, forwarded to the PEO. If the PEO is satisfied that the claim is valid, then the name is added to the roll, and the elector and the electoral registrar are notified.
- 27A Persons enrolled may apply to the PEO for a card identifying that person as being enrolled under the Act. (Current fee \$5-00).
- 28 Electors may apply for transfer to a new electoral district after residing in the new district for three months.
- 29 Electors changing address within an electoral district, may apply immediately to have their new address recorded on the roll. Procedures as per Sections 26-27.
- 29A This section details the joint enrolment card arrangements with the Commonwealth, and authorises Commonwealth Officers to act on behalf of the State.
- 30 The effective date of new enrolments, transfers to new electoral districts, and changes of address within districts is the date the enrolment card is first received by a registrar, returning officer or PEO. If a claim is received after the close of the rolls following the issue of a writ, the effective date is the date on which the entry is actually made.
- 31 If the electoral registrar, returning officer, or PEO is of the opinion that a claimant is not living at the address on the claim, the PEO, or a person authorised under Section 20, must make appropriate enquiries concerning the address of the claimant. If the PEO is satisfied that claimant is not living at the address on the claim, then the claimant's name is not entered on the roll. Also, if the PEO has reason to believe, after a claimant has been included on the roll, that a claimant was not living at the address on the claim form at the time of the claim, then the PEO, or a person authorised under Section 20, must make appropriate enquiries concerning the address of the claimant. If the PEO is not satisfied that claimant was living at the address on the claim at the time of the claim, then the claimant's name is removed from the roll.

- 32 Persons entitled to vote, and persons moving to a new electorate, are required to enrol or transfer their enrolment. Persons moving address within an electoral district are required to advise their new address within twenty-one days.
- 32A Enrolled persons who fear for their or their family's safety because of information on the roll, may apply for silent enrolment.
- 33 The PEO may excuse physically and mentally disabled electors from the compulsory elements of the Act if they apply, and their application is supported by medical evidence.
- 34 The PEO, or an electoral registrar authorised by the PEO, may only make alterations to the rolls until 5:00pm on the day the writ for an election is issued, except for claims etc. lodged before the closure of rolls (see Section 35); persons notified as deceased; persons becoming disqualified under Section 24; or persons investigated under Section 31 who do not meet the criteria for enrolment.
- 35 Claims for enrolment, transfer and notifications of change of address, received before the issue of a writ may be registered on the roll.
- 36 Alterations to the rolls are to be initialled, and no alterations should obliterate any detail shown on the roll.
- 37 The Registrar-General must furnish a monthly report of all deaths of persons aged 18 years and over to the PEO, who must delete all electors named as dead; superintendents of correctional centres must supply a monthly report of all prisoners taken into custody who meet the criteria in Section 23; the Public Trustee must advise the PEO as often as practicable, names and if possible addresses of persons notified as being mentally ill under the Mental Health Act, and incapable of managing their estate; (and where it comes to the Public Trustee's notice) persons declared mentally ill by the Supreme Court, or a Judge of the Court, and incapable of managing their estate. The Public Trustee must also advise the PEO of all persons who cease to have their estate come under the Mental Health Act 1974-1978.
- 37A Authorises the PEO to maintain the roll on computer or any other device approved by the Minister.

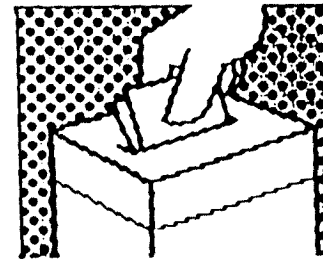
- 37B Authorises MLAs, endorsed candidates, Local Authorities and Community Councils to purchase rolls in electronic form.
- 38 Names on the roll for a district may be objected to by any elector for that district. PEO may object to any elector in any district.
- 39 Notice to the elector of objection by PEO to be in writing in the prescribed form.
- 40 Answers to objections can be made orally or in writing.
- 41 Specifies guidelines the PEO is to use to determine objections.
- 42 It is an offence to make an objection without reasonable grounds or cause.
- 43 Persons deleted from the roll may appeal to a magistrate.
- 44 The existing roll, with all corrections is conclusive evidence of the title of person named in the roll to vote.
- 45 Sets out procedures for those not on the roll to cast a vote, and the procedures to be used to determine whether that vote is to be allowed.



ELECTORAL ENROLMENT FORM

ELECTORAL ENROLMENT FORM

APPENDIX F



Application form to enrol to
vote, or to change your address
or other details, in Federal
(Commonwealth), Queensland and
Local Government elections.

P

Special Commonwealth and
Queensland enrolment provisions
may apply to:

persons who do not wish their
address shown on the roll.
Special Commonwealth enrolment
provisions may apply to the
following:

physically handicapped persons
itinerants (persons with no fixed
address)
overseas electors
Antarctic electors
17 year olds

If you need more information
please contact any office of the
Australian Electoral Commission or
the Queensland State Electoral
Office.

The following federal government agencies have access to
enrolment information that is not publicly available for
purposes permitted by the Commonwealth Privacy Act 1988
(as at August 1989):

Attorney-General's Department
(Bankruptcy Division)
(Official Receivers Office)
Australia Post
(Security and Investigations Service)
Australian Capital Territory Housing Trust
Australian Capital Territory Schools Authority
Australian Capital Territory Supreme Court
Australian Customs Service
Australian Federal Police
Australian Government Retirement Benefits Office
Australian Taxation Office
Corporate Affairs Commission
(Australian Capital Territory)
Department of Community Services and
Health (Home Ownership Branch)
Department of Employment, Education and
Training (Benefits Control Unit)
Department of Primary Industry and Energy
(Test Site Management Branch)
Department of Social Security
Department of Veterans' Affairs
National Crime Authority
Trade Practices Commission

Please fill in the enrolment form on
the other side, tear it off and post it
in the pre-paid envelope or take it to
a Divisional Office of the Australian
Electoral Commission or the
Queensland State Electoral Office.

F11016-1/90

Am I eligible to enrol?

You are eligible to enrol for Federal and Queensland elections if:

- you are 18 years of age or older; and
- you are an Australian citizen; and
- you have lived at your present address for at least the last month for Federal elections and the last 3 months for Queensland elections.

British subjects who are not Australian citizens are eligible to enrol for:

- Federal elections if they were on a Commonwealth of Australia electoral roll on 25 January, 1984;
- Queensland elections if they were on a Queensland, Commonwealth of Australia or other State/Territory roll at some time between 1 May and 1 August 1983.

Do I have to enrol?

Yes. If you are eligible you must enrol. You may be fined if you do not.

What happens when I send in my form?

Your name will be placed on the electoral roll for both Federal and Queensland elections and you will be sent details of your enrolments by the Australian Electoral Commission and the Queensland State Electoral Office.

Will all information appear on the publicly available electoral roll?

No. Only Items 1 and 2 will appear on the Commonwealth roll and Items 1, 2, 4 and 5 on the Queensland roll.

Does anyone have access to information that is not publicly available?

Yes. The Australian Electoral Commission makes Items 1, 2, 4, 5 and 6 available to the government agencies listed on the back of this card.

How do I vote?

When there is an election you go to a polling place where a polling clerk will check that your name is on the roll. The polling clerk will give you your voting papers to fill in.

Do I have to vote?

Yes. Voting is compulsory in Federal and Queensland elections. You may be fined if you do not vote.

Where can I get more information?

You can get more information at any office of the Australian Electoral Commission, the Queensland State Electoral Office or your nearest Court House. You can find the addresses and phone numbers in the Commonwealth and Queensland Government sections of your local phone book.

How do I fill in the form?

These notes will help you fill in your enrolment form

PLEASE USE BLOCK LETTERS AND BLUE OR BLACK INK

2 Please give full details to show exactly where you live. Include house, unit or flat number and street or road name. If you live in an area where there are no street numbers please give sufficient information to identify your residence, e.g., lot/portion no. and Parish name. A town or locality name is NOT enough.

3 If your postal address is the same as the address shown at question 2, print "as above".

9 Answer YES or NO. Are you an Australian citizen?

If you are an Australian citizen by naturalisation please supply the following details.

12 If you have changed any part of your name since your last enrolment, show here the full name you previously used.

13 Fill this in only if you have moved since your last enrolment.

Please check the section "Am I eligible to enrol?" before you sign this declaration. If you are not eligible for State enrolment please strike out the words underlined. Sign this declaration in front of a person who is eligible to be on the Commonwealth of Australia and/or Queensland electoral roll.

This form must be witnessed by a person who is eligible to be on the Commonwealth of Australia and/or Queensland electoral roll and can sign their name in writing.

C. Code	Date received	P	Date received	Time
New St	HW			QLD
FL	HW	SA		

1 Surname or family name			
All Christian or given names			
2 Address			
	Postcode		
3 Postal address			
	Postcode		
4 Occupation		5 Male <input type="checkbox"/>	Female <input type="checkbox"/>
6 Date of birth	Day Month Year	7 Town of birth	
8 Country of birth		9 I am an Australian YES <input type="checkbox"/> NO <input type="checkbox"/>	
10 Date of naturalisation	Day Month Year	11 Citizenship Certificate No.	

12 Former surname or family name			
Former Christian or given names			
13 Former address			
	Postcode		

DECLARATION: I am eligible to enrol for Federal and Queensland elections. I declare that all the information I have given on this form is true and complete.

Signature or mark of applicant	Date	Day Month Year
Daytime phone number for contact (if convenient)		

WITNESS: I saw the applicant sign this form. I am satisfied that all statements in it are true.

Signature of witness			
Name			
Block LETTERS			
Address			

**BRITISH SUBJECT ENROLMENT PROCEDURES
- STATE ELECTORAL OFFICE**British Subject

Any enrolment card received where the person has not indicated he or she is an Australian citizen and whose place of birth is outside of Australia is dealt with as follows:-

1. A computer check of the current State Electoral Roll and the Ineligible Electors Register is made.
2. Where claimant is found on the Ineligible Electors Register, the enrolment is rejected.
3. Where the claimant is already on the roll, the previous enrolment card, if lodged since 1st August, 1983 is extracted and checked to see if the eligibility criteria had been verified prior to enrolment.
4. If previously verified, card noted accordingly and the claim processed.
5. If not verified, or not on the current Roll, a check is made of the State and Commonwealth Rolls for Queensland to see if claimant was enrolled at some time during the 3 months immediately preceding 1st August, 1983.
6. If found on either of these rolls, an appropriate noting is made on the card and the enrolment proceeds.
7. If not enrolled on those rolls during that period, a questionnaire (copy attached) is sent to claimant seeking clarification as to citizenship and previous enrolment.
8. Where the claimant subsequently satisfies the State Electoral Office that he/she is entitled to enrolment, the card is noted accordingly and the claim is processed.
9. Where the claimant doesn't satisfy the enrolment criteria, the claim is rejected and the claimant's details entered on the Ineligible Electors Register.

**ELIGIBILITY CRITERIA - ORDINARY ENROLMENT,
STATE AND COMMONWEALTH**

	QUEENSLAND	COMMONWEALTH
1. Age	1. 18 years and over	1. 18 years and over
	&	&
2. Residency Qualification	2. 3 months continuous in electorate	2. 1 month continuous in electorate
	&	&
3. Citizenship	3. Australian citizen	3. Australian citizen
	OR	OR
	a British subject on either the Queensland roll or the Commonwealth roll anywhere in Australia at some time between 1 May 1983 and 1 August 1983	a British subject on the Commonwealth roll anywhere in Australia on 25 January 1984.
	(Section 21 of State <u>Elections Act 1983-89</u>)	(Sections 93 & 99 of the <u>Commonwealth Electoral Act 1918</u>)

SPECIAL ENROLMENT PROVISIONS - STATE AND COMMONWEALTH

Under Commonwealth legislation there is provision for special classes of enrolment for which there are no corresponding State provisions. The relevant sections of the Commonwealth Electoral Act 1918, and a description of the special enrolment provisions are presented below:

"Eligible overseas electors" (Section 94)	Electors intending to go overseas for up to three years can apply within one month of departure to remain on the Commonwealth roll.
"Spouse/child of eligible overseas electors" (Section 95)	A spouse or child of an eligible overseas elector who reaches the age of 18 when overseas can apply to become a "spouse/child of an eligible overseas elector".
"Itinerants" (Section 96)	An elector who does not reside in any subdivision can apply for registration as an itinerant elector.
"Physically incapacitated" (Section 98.3)	An elector who can not sign an enrolment form, can still enrol if medical evidence of their incapacity is produced.
"Antarctic elector" (Section 249)	Persons working in Antarctica are entitled to enrolment.

Under the Queensland Elections Act 1983-89 (Section 22), members of the defence forces, whose normal place of living is in Queensland and who are serving overseas, and who are Australian citizens 18 years of age and over, are deemed to be electors and are entitled to a postal vote. There is no corresponding Commonwealth entitlement; however, defence personnel who meet normal eligibility requirements can apply to become "eligible overseas voters" (see above).

PROVISIONAL ENROLMENT**QUEENSLAND****COMMONWEALTH**

1. Age	There is no provisional enrolment under current State legislation	1. 17 years of age
2. Residency Qualification		2. 1 month continuous in electorate
3. Citizenship		3. Australian citizen.

(Section 100)

SILENT ENROLMENT

	QUEENSLAND	COMMONWEALTH
1. Criteria for application	1. Where the personal safety of the elector or members of his/her family are at risk	1. Where the personal safety of the elector or members of his/her family are at risk
2. Information shown on roll	2. Name only	2. Name only
3. Application form	3. State "silent" enrolment application form required (Section 32A)	3. Commonwealth "silent" enrolment application form required (Section 104)

NOTE: An elector is currently required to complete two (2) application forms to arrange silent enrolment on State and Commonwealth rolls.

DISQUALIFICATION CRITERIA - STATE AND COMMONWEALTH

	QUEENSLAND	COMMONWEALTH
1. Mental incapacity	1. Mentally ill and unable to manage his/her own estate (Section 23 a)	1. Incapable of understanding the nature and significance of enrolment and voting (Section 93.7 a & b)
2. Prisoners	2. Convicted of an offence, sentenced to imprisonment for 6 months or more, and imprisoned (Section 23 b)	2. Convicted and under sentence for an offence punishable by imprisonment for 5 years or longer (Section 93.8 b)
3. Treason	3. No specific disqualifications (see prisoners above)	3. Convicted of treason or treachery and not pardoned (Section 93.8 c)

INFORMATION IN PUBLISHED ROLLS - STATE AND COMMONWEALTH

QUEENSLAND

Surname, Christian/Given names, address, occupation, date of claim, sex, Justice of Peace (if applicable).

COMMONWEALTH

Surname, Christian/Given names, address.

**SUMMARY OF JOINT ARRANGEMENTS
- OTHER STATES AND TERRITORIES**

<u>STATE</u>	<u>YEAR</u>	<u>MAJOR FEATURES OF ARRANGEMENTS</u>
Tas	1908	<ul style="list-style-type: none"> - Joint Electoral Roll for Legislative Assembly and House of Representatives - Tasmanian Electoral Commission maintains separate roll for Legislative Council - AEC Divisional Returning Officers act as State Returning Officers under direction of State Electoral Commissioner
SA	1920 Amended 1988	<ul style="list-style-type: none"> - Joint Electoral Roll for State and Commonwealth elections; - Annual habitation reviews, with shared costs - Joint database maintained on SA State Government mainframe - Joint Electoral Rolls used for local government with local authorities adding names of ratepayers not eligible for Joint Electoral Roll <p><u>Costs:</u></p> <ul style="list-style-type: none"> - Shared costs of computer hardware and software-Formula for postage/phone/storage/general administration charges to State by Commonwealth on yearly basis.
Vic	1923	<ul style="list-style-type: none"> - Joint Electoral Roll for State & Commonwealth Elections - Subdivisions to be co-terminus - All information required by State and Commonwealth to be on roll - Joint forms - Commonwealth & State officers duly authorised under State & Commonwealth legislation <p><u>Costs:</u></p> <ul style="list-style-type: none"> - Commonwealth bears all costs in relation to maintaining electoral offices and rolls. State to share costs for production and binding of rolls, forms, printed material etc.
NSW	1928	<ul style="list-style-type: none"> - As per Victoria
WA	1983	<ul style="list-style-type: none"> - Used for all State & Commonwealth elections - Annual habitation reviews with shared costs - Roll maintenance by AEC - State maintains own database from information supplied by AEC - State compiles local government rolls <p><u>Costs:</u></p> <ul style="list-style-type: none"> - Shared costs, except those functions conducted by AEC exclusively for WA purposes.

<u>STATE</u>	<u>YEAR</u>	<u>MAJOR FEATURES OF ARRANGEMENTS</u>
NT	1989	- Joint Electoral Rolls for all elections - 25 NT electoral divisions coincide with subdivisions for the sole NT House of Representatives Division
ACT	1989	- Commonwealth roll used - Elections administered by AEC

NOTE: The Commonwealth will be negotiating with States where Joint Roll Arrangements exist, revised provisions to allow for equal cost sharing and for cost sharing of habitation reviews.

**SOUTH AUSTRALIAN AND WESTERN AUSTRALIAN
JOINT ROLL ARRANGEMENTS**



**Commonwealth
of Australia**

Gazette

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SPECIAL

Commonwealth Electoral Act 1918

ARRANGEMENT BETWEEN THE GOVERNOR-GENERAL AND THE GOVERNOR OF SOUTH AUSTRALIA MAKING PROVISION FOR THE CARRYING OUT OF A PROCEDURE RELATING TO THE PREPARATION ALTERATION OR REVISION OF ELECTORAL ROLLS.

WHEREAS:

- A. His Excellency the then Governor-General of the Commonwealth of Australia, acting with the advice of the then Federal Executive Council, and His Excellency the then Governor in and over the State of South Australia, acting with the advice of the then Executive Council of the State, entered into two Arrangements dated 15 December 1920 and 15 October 1924 relating to joint electoral rolls to be used for Commonwealth elections and also for State elections for the House of Assembly;
- B. And whereas an agreement dated 7 January 1925, as varied by an agreement dated 10 June 1925, ("the Agreement") was entered into on behalf of the Commonwealth and the State under the *Public Service Act 1922* and the *Public Service Act 1916* respectively that Commonwealth Divisional Returning Officers perform such duties as the Returning Officer for the State may direct with respect to the preparation and maintenance of the Legislative Council Rolls;
- C. And whereas the Agreement has ceased to operate since the same franchise was applied to both the Legislative Council and the House of Assembly;
- D. And whereas it is desired to enter into a new Arrangement under the Commonwealth Act and the State Act in relation to the joint electoral rolls for both Commonwealth and State elections and referendums; and
- E. And whereas the joint electoral rolls are being kept by computer at the State Government Computing Centre on a joint data base:

NOW THEREFORE it is hereby mutually arranged, pursuant to section 84 of the *Commonwealth Electoral Act 1918* ("the Commonwealth Act") and section 28 of the Electoral Act 1985 of the State of South Australia ("the State Act") and all other enabling powers, between His Excellency the Governor-General of the Commonwealth of Australia ("the Commonwealth"), acting with the advice of the Federal Executive Council, and His Excellency the Governor in and over the State of South Australia ("the State"), acting with the advice of the Executive Council of the State, for the carrying out of a procedure relating to the preparation alteration or revision of Electoral Rolls, namely the maintenance by computer from a joint data base of the existing joint electoral rolls.

1. In this Arrangement:

- (a) the expression "Australian Electoral Officer" and "Divisional Returning Officer" have the same meanings as provided by sections 20 and 32 respectively of the Commonwealth Act;
- (b) the expressions "Electoral Commissioner", "electoral registrar" and "returning officer" have the same meanings as provided by sections 5, 15 and 16 respectively of the State Act;
- (c) the expression "officer" has the same meaning as it bears in the *Public Service Act 1922*;
- (d) the expression "the joint forms" means the joint forms, including the claim for enrolment, prepared under the previous Arrangements;

(e) the expression "the previous Arrangements" means the Arrangement between the parties to this Arrangement dated 15 December 1920 as varied by the Arrangement dated 15 October 1924;

(f) the expression "the Rolls" means the joint electoral rolls prepared jointly under the previous Arrangements as modified from time to time hereunder; and

(g) a reference to an Act shall include any amendments to that Act for the time being in force and also any Act passed in substitution therefor and the regulations, proclamations, orders and other instruments for the time being in force thereunder.

2. The Arrangement dated 15 December 1920, as varied by the Arrangement dated 15 October 1924, shall cease to have force or effect on and from the date fixed for the coming into force of this Arrangement.

3. Every person who is Divisional Returning Officer shall be appointed pursuant to the State Act an electoral registrar and those officers shall, subject to directions of the Australian Electoral Officer for the State, be responsible on behalf of the Commonwealth and the State for the maintenance of the Rolls.

4. The Electoral Commissioner shall make available any information in his or her possession which may affect the accuracy of the Rolls to the Australian Electoral Officer for the State who shall use the same in the maintenance of the Rolls.

5. The Australian Electoral Officer for the State:

- (a) so far as possible shall conduct in the State annual habitation reviews under the Commonwealth Act; and
- (b) shall be responsible for the policy relating to enrolment on, and maintenance of, the Rolls but in doing so he or she shall consult with, and give effect to the requirements of, the Electoral Commissioner in that respect.

6. (1) For the purpose of any State election for the House of Assembly or the Legislative Council, by-election or referendum, a Divisional Returning Officer appointed as an electoral registrar:

- (a) shall within seven (7) days of receiving the same from the Electoral Commissioner, amend, if necessary, the particulars set out on any list of electors, as defined in the State Act, for any Subdivision of the Division of which he or she is the Divisional Returning Officer and also certify and return that list including any amendments as correct; and
- (b) shall make available to, at the request of and at times convenient to,
 - (i) any returning officer records and other information held which would assist in determining the admissibility of a vote cast by an elector, as defined in the State Act; and
 - (ii) the Electoral Commissioner information of assistance in determining whether proceedings should be instituted against electors, as so defined, who appear not to have voted.

(2) The Electoral Commissioner and each returning officer are to have access during the times mutually agreed to all enrolment and habitation records held in the State by the Australian Electoral Commission.

7. As far as practicable, the joint forms as revised from time to time by the Australian Electoral Officer for the

2 Alteration of Electoral Rolls

State and the Electoral Commissioner shall be used in all matters relating to the maintenance of the Rolls.

8. In relation to the operation of the joint data base:

(a) each Divisional Returning Officer appointed as an electoral registrar shall in relation to his or her Division be responsible for—

(i) entering appropriate information on the completed claim for enrolment form into the joint data base;

(ii) removing from the joint data base the relevant particulars of any person no longer eligible to be enrolled for an address at which he or she is enrolled.

(iii) make amendments to the joint data base after any redistribution of Commonwealth electoral boundaries; and

(iv) ensuring the correct encoding of electors in respect of subdivisions, Local Government areas and wards, as applicable;

(b) the Electoral Commissioner shall be responsible for

(i) making amendments to the joint data base after any redistribution of State or Local Government electoral boundaries and ensuring in that event an encoding correct in the respects specified in sub-paragraph 8 (a) (iv); and

(ii) the operating modes of the computer system, alterations to parameters governing electoral areas, batch production runs, system security including control of user identification codes and liaison with the State Government Computing Centre on program modifications; and

(c) no new program nor amendment to an operating program shall be commenced or implemented without the authority of the Australian Electoral Officer for the State and the Electoral Commissioner.

9. Subject to clause 10, the Commonwealth and the State shall share equally the cost of:

(a) enrolment stationery and enrolment forms where the stationery or forms are used for the Joint Rolls, but not electoral rolls and any computer generated lists required for any election referendum redistribution or otherwise;

(b) joint information and education campaigns and programmes;

(c) roll review activities, including habitation reviews, but excluding the salaries paid to any officer in respect of those activities;

(d) computer processing, including the maintenance of computer files and programs; and

(e) acquiring, installing and maintaining computer hardware and the associated communications network for roll maintenance.

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10. The State shall pay to the Commonwealth as a contribution towards expenditure on postage, telephones and storage of forms an amount—

(a) for 1988, being the product of A and D, as defined in paragraph (b);

(b) for each year subsequent to 1988 for which this Arrangement enures, calculated in accordance with the following formula

$$\frac{A \times B \times D}{C}$$

where:

A is 6.73 cents;

B is Consumer Price Index for Adelaide, as published by the Australian Bureau of Statistics, for the last quarter of the year for which an amount is payable by the State hereunder;

C is that Index for the last quarter of the year 1988; and

D is the number of electors on the Rolls as at 31 December in the year for which the amount is payable; and

(c) if the State obtains, in respect of any year for which this Arrangement enures, from Local Government authorities in the State a contribution towards the cost of maintaining the Rolls, being 50% of that contribution ("the sum") unless the Commonwealth chooses to reduce the amount payable by it under clause 9 by the sum.

11. This arrangement shall come into force on 1st July 1988.

12. This arrangement may be terminated by not less than twelve months' notice, in writing, given by the Governor of the State to the Governor-General of the Commonwealth or by the Governor-General of the Commonwealth to the Governor of the State, on behalf of the State and the Commonwealth respectively, or may be terminated at any time by mutual arrangement.

Dated the 25th day of May 1988.

N. M. STEPHEN
Governor-General

by His Excellency's Command
ROBERT RAY
Minister for Home Affairs

D. B. DUNSTAN
Governor of the State
of South Australia

by His Excellency's Command
C. J. SUMNER
Attorney-General



COMMONWEALTH OF AUSTRALIA
STATE OF WESTERN AUSTRALIA

ARRANGEMENT BETWEEN THE GOVERNOR-GENERAL AND THE GOVERNOR OF WESTERN AUSTRALIA MAKING PROVISION FOR A PROCEDURE RELATING TO THE PREPARATION ALTERATION AND REVISION OF ELECTORAL ROLLS TO PROVIDE FOR THE OPERATION IN WESTERN AUSTRALIA OF A SINGLE ENROLMENT PROCEDURE FOR THE PURPOSE OF ENROLMENT FOR COMMONWEALTH AND STATE ELECTIONS AND THE REVISION OF THE STATE ELECTORAL ROLLS

PURSUANT to section 32 of the *Commonwealth Electoral Act 1918* ('the Commonwealth Act') and sections 31 and 31A of the *Electoral Act 1907* of the State of Western Australia ('the State Act') and all other enabling powers, it is hereby mutually arranged between His Excellency the Governor-General in and over Australia, acting with the advice of the Federal Executive Council, and His Excellency the Governor in and over the State of Western Australia, acting with the advice of the Executive Council of the State, for a procedure relating to the preparation alteration and revision of electoral rolls to provide for the operation in Western Australia of a single enrolment procedure for the purpose of enrolment for Commonwealth and State elections and the revision of the Electoral Rolls under the State Act as follows—

1. In this Arrangement—

'Australian Electoral Officer' and 'Chief Electoral Officer' have the same meanings as provided in section 31 (6) and section 4 respectively of the State Act;

and

a reference to an Act shall include any amendments to that Act for the time being in force and also any Act passed in substitution therefor or in lieu thereof and the regulations proclamations orders and other instruments for the time being in force thereunder.

2. (1) The Australian Electoral Officer shall perform the following functions—

- (a) the receipt and initial checking of claims for enrolment under the State Act (including claims under section 45 (2)) and the undertaking of enquiries in respect thereof;

and

- (b) the transmission to the Chief Electoral Officer (at the times and in the manner and forms from time to time agreed between the Australian Electoral Officer and the Chief Electoral Officer) of the information necessary for the preparation alteration and revision of rolls under the State Act.

- (2) Claims for enrolment shall be in a form provided by the Chief Electoral Officer and the Australian Electoral Officer for putting into effect a single enrolment procedure for the purpose of Commonwealth and State elections.

(3) The Australian Electoral Officer shall—

- (a) subject to subclause (4) of this clause be the officer to whom a claimant shall send any claim under the State Act;

and

- (b) have the powers, functions and duties conferred or imposed on the Registrar of a District or Sub-district by sections 42 (c), 44 (2) and (3), 44A (3) and (5) and 45 (4) of the State Act.

- (4) Notwithstanding the provisions of paragraph (a) of subclause (3) of this clause a claim may be sent to a Divisional Returning Officer or an Electoral Registrar (within the meaning of those terms in the Commonwealth Act) acting on behalf of the Australian Electoral Officer.

- (5) Receipt by a Divisional Returning Officer or an Electoral Registrar of any claim sent pursuant to the provisions of subclause (4) of this clause shall be deemed to be receipt by the Australian Electoral Officer under and for the purposes of this Arrangement.

- (6) Receipts for claims issued to electors pursuant to section 45 (4) of the State Act (and in the case of receipts issued by the Australian Electoral Officer pursuant also to subclause 3 (b) of this clause) shall be in a form agreed between the Australian Electoral Officer and the Chief Electoral Officer.

3. The Australian Electoral Officer shall give notice in writing to the Chief Electoral Officer (whether in lists or otherwise) of the name and description of each person whose name is removed, in accordance with the Commonwealth Act, from the Commonwealth roll for the State on the ground that he is no longer living at the address shown for him in the roll.

4. The Chief Electoral Officer shall for the purpose of carrying out any duty imposed upon him under any law of the State have the right at all reasonable times to inspect and receive copies of enrolment records held by or on behalf of the Australian Electoral Officer.

5. The Australian Electoral Officer will—

- (a) so far as possible conduct in the State annual habitation reviews under the Commonwealth Act;

- (b) make all necessary enquiries and report to the Registrar (as defined in the State Act) on any claim referred by the Registrar under section 46 (1) (b) of the State Act;

and

- (c) undertake any enquiries requested by the Chief Electoral Officer under section 156 (15) (a) of the State Act.

6. The Commonwealth shall bear all expenses in connexion with this Arrangement except in relation to—

- (a) expenditure incurred by the Commonwealth (including the engagement of outside data processing contractors but not including remuneration of officers of the Commonwealth) consequent on the close of the State roll for an election, which expenditure shall be borne by the State;

and

- (b) (i) printing (not including printing of electoral rolls) stationery and forms as agreed between the Australian Electoral Officer and the Chief Electoral Officer;

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(ii) habitation reviews conducted in the State by the Australian Electoral Officer under the Commonwealth Act;

and

(iii) postage

Which shall be shared equally by the Commonwealth and the State.

7. This Arrangement shall come into operation on and after the 1st day of November 1983 subject to publication in the Government Gazette of Western Australia of an order pursuant to section 31 (3) of the State Act.

8. This Arrangement may be terminated by notice in writing of not less than twelve months given by the Governor of the State to the Governor-General of Australia or by the Governor-General of Australia to the Governor of the State on behalf of the State and of the Commonwealth respectively or may be terminated at any time by mutual arrangement.

Dated the twentieth day of October 1983.

N. M. STEPHEN
Governor-General

By His Excellency's Command,
KIM. C. BEAZLEY
Special Minister of State

SIR RICHARD TROWBRIDGE
Governor of the State of Western Australia

By His Excellency's Command,
ARTHUR TONKIN
Minister for Parliamentary and Electoral Reform

2. (1) The Australian Electoral Officer shall perform the functions of the receipt, assessment and grant or refusal of requests under section 51B of the State Act.

(2) Requests under section 51B of the State Act shall be in a form provided by the Chief Electoral Officer and the Australian Electoral Officer for putting into effect a single procedure for the purpose of making a request under section 51B of the State Act and section 104 of the Commonwealth Act.

(3) The Australian Electoral Officer shall—

(a) subject to sub-clause (4) of this clause be the officer to whom a person shall send a request under section 51B of the State Act;

(b) have the powers, functions and duties conferred on a Registrar by section 51B of the State Act;

and

(c) send to the Chief Electoral Officer (at times to be agreed between the Australian Electoral Officer and the Chief Electoral Officer) copies of—

(i) all requests received or deemed to be received by the Australian Electoral Officer pursuant to paragraph (a) of this sub-clause and sub-clause (5) of this clause respectively;

and

(ii) all notifications of grants or refusals of requests sent by the Australian Electoral Officer pursuant to the exercise by him of the duty conferred by section 51B (5) of the State Act and sub-clause 3 (b) of this clause.

(4) Notwithstanding the provisions of subclause (3)(a) of this clause a request may be sent to a Divisional Returning Officer or an Assistant Divisional Returning Officer (within the meaning of those terms in the Commonwealth Act) acting on behalf of the Australian Electoral Officer.

(5) Receipt by a Divisional Returning Officer or an Assistant Divisional Returning Officer of any request sent pursuant to the provisions of subclause (4) of this clause shall be deemed to be receipt by the Australian Electoral Officer under and for the purposes of this Arrangement.

(6) Notifications of grants or refusals of requests sent to persons by the Australian Electoral Officer pursuant to the exercise by him of the duty conferred by section 51B (5) of the State Act and subclause (3)(b) of this clause shall be in a form agreed between the Australian Electoral Officer and the Chief Electoral Officer.

3. Without derogating from the provisions of Clause 2 (3) (c) the Chief Electoral Officer shall for the purpose of carrying out any duty imposed upon him under any law of the State have the right at all reasonable times to inspect and receive copies of enrolment records held by or on behalf of the Australian Electoral Officer.

4. All expenses in connexion with this Arrangement shall be shared equally by the Commonwealth and the State.

5. This Arrangement shall come into operation on and after the 1st day of September 1985 subject to publication in The Government Gazette of Western Australia of an order pursuant to section 31B (3) of the State Act.

6. This Arrangement may be terminated by notice in writing of not less than twelve months given by the Governor of the State to the Governor-General of Australia

COMMONWEALTH OF AUSTRALIA
STATE OF WESTERN AUSTRALIA
ARRANGEMENT BETWEEN THE GOVERNOR-GENERAL AND THE GOVERNOR OF WESTERN AUSTRALIA MAKING PROVISION FOR A PROCEDURE RELATING TO THE PREPARATION, ALTERATION AND REVISION OF ELECTORAL ROLLS TO PROVIDE FOR THE OPERATION IN WESTERN AUSTRALIA OF A SINGLE PROCEDURE FOR THE PURPOSE OF THE MAKING OF REQUESTS THAT ADDRESSES NOT BE SHOWN ON ELECTORAL ROLLS

PURSUANT to section 84 of the *Commonwealth Electoral Act 1918* ('the Commonwealth Act') and section 31B of the *Electoral Act 1907* of the State of Western Australia ('the State Act') and all other enabling powers, it is hereby mutually arranged between His Excellency the Governor-General in and over Australia, acting with the advice of the Federal Executive Council, and His Excellency the Governor in and over the State of Western Australia, acting with the advice of the Executive Council of the State, for a procedure relating to the preparation, alteration and revision of electoral rolls to provide for the operation in Western Australia of a single procedure for the purpose of making a request under section 51B of the State Act and section 104 of the Commonwealth Act as follows—

1. In this Arrangement—

'Australian Electoral Officer' and 'Chief Electoral Officer' have the same meanings as provided in section 31 (6) and section 4 respectively of the State Act;

and

a reference to an Act shall include any amendments to that Act for the time being in force and also any Act passed in substitution therefor or in lieu thereof and the regulations, proclamations orders and other instruments for the time being in force thereunder.

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or by the Governor-General of Australia to the Governor of the State on behalf of the State and of the Commonwealth respectively or may be terminated at any time by mutual arrangement.

Dated the thirtieth day of July 1985.

N. M. STEPHEN
Governor-General

By His Excellency's Command,
M. J. YOUNG
Special Minister of State

F. T. P. BURT
The Lieutenant Governor and
Deputy of the Governor
of the State of Western Australia

By His Excellency's Command,
R. J. PEARCE
Acting Minister for Parliamentary and Electoral Reform

INDICATIVE COSTS - AEC JOINT ELECTORAL ROLL PROPOSAL

INDICATIVE COSTS

The table covers the non indexed disbursements by the AEC for roll maintenance in Queensland over the last two financial years and includes the cost of a biennial roll review.

Item	1989-90	1988-89
Printing		
- Enrolment Forms	41160	54375
- Acknowledgment Cards	17000	20562
- BRP Envelopes	9338	18870
Computer		
- Data Entry	60683	34910
- Repairs & Maintenance	7496	6653
- Equipment Purchase	-	29000
- Consumables	19343	23516
- Micrographics	8052	10560
- Death Notifications	7521	3795
Postage (Incl election objections)	216911	219366
ERR		
- ADP	-	54704
- Staff	-	950000
- Advertising	-	258064
- Other	-	25000
- Printing	-	79697
- Postage	-	350000
- Consumables	20006	36921
- Non computer envelopes	241	11056
Education		
- Disbursement	61225	32761
- AIEIS	40600	40000
Total	\$509576	\$2259710 = \$2,769,286

Average costs per year = \$1,384,643
 Add share of Central Office mainframe processing,
 system maintenance and development 1989/90 = \$525,000

Total \$1,909,643

State share of indicative cost = \$954,821

Dedicated staff will be required to meet the needs of Queensland state requirements. 1 x ASO4 system administrator to be located in the AEC's Queensland Head Office and 1 x CSO3 to be located in the AEC's Canberra office, say = \$100,000 pa

Total indicative costs for State = \$1,054,821

BY AUTHORITY
R. G. GILES, ACTING GOVERNMENT PRINTER, QUEENSLAND—1990

116287