

VI. CASE STUDIES

COMMONWEALTH OF AUSTRALIA

I. System of Government

1. The Commonwealth of Australia is a constitutional monarchy with a federal and parliamentary system of government. There are five states and two territories in the federation.
2. The head of state is the Queen (of England and also of Australia), represented in Australia by an appointed Governor-General at national level and an appointed Governor in each State.
3. The national parliament consists of the Queen and a bicameral elected body: the House of Representatives of variable size according to relative state populations, currently of 150 members, and a Senate (which has review powers) of 76 senators. The government may dissolve the parliament and call elections before its term of office ends. Seats in the House of Representatives are allocated to States/Territories on the basis of population. The maximum term of office of the House is three years. Members of the House are elected from single-member districts ('seats'), using an alternative vote system. In the Senate, each State, regardless of population, is represented by 12 senators, and each Territory by two senators, elected under a variant of a single transferable vote proportional representation system for a term of six years. Half the Senate seats in each State and both seats in each Territory are usually elected at each Senate election, which is more usually, but need not be, concurrent with the election for the House.
4. Each State and Territory has determined its own State/Territory system of governance, including whether its parliament is unicameral or bicameral, the electoral system or systems used, and the parliamentary chambers' terms of office. Each State and Territory also determines its own system of local government, including the form of representation and election framework. National, State and local elections are not held on the same day.
5. As at end April 2006, there were 13,139,056 voters registered to vote at national elections in Australia.

II. Electoral Legal Framework

6. Elections for the national parliament in Australia are governed by the national (federal) Constitution, laws of the national parliament, government regulations, and policy decisions of the independent Australian Election Commission.
7. The federal Constitution contains, amongst other provisions, the basic provisions for elected offices and terms of office, disqualifications from being elected and filling of vacant seats. Other instruments governing national parliamentary elections are the Commonwealth Electoral Act of 1918, as amended to 2004, the Representation Act of 1983, the Commonwealth Electoral Legislation (Provision of Information) Act of 2000, the Access to the Electoral Roll Act of 2004, the Enrolment Integrity Act of 2004 and the Prisoner Voting Act of 2004. National referendums are governed by the Commonwealth Referendum (Machinery Provisions) Act of 1984, as amended to 2004.

8. Elections for State and Territory parliaments and local representative bodies, including the qualifications to be registered as a voter for these elections, are governed by each State or Territory's constitution, laws and government regulations.
9. In Australia, voter registration is called in law 'electoral enrolment,' and the voters register is called the 'electoral roll.'

III. Electoral Management Body

10. National elections and referendums are conducted by the Australian Electoral Commission (AEC), an independent body created by law in 1983.
11. The main functions of the AEC include conducting national (federal) elections and referendums, maintaining the electoral roll, promoting public awareness of electoral and parliamentary matters, providing international electoral assistance, researching electoral matters, registering political parties, determining representation entitlements, and administering public funding of election candidates and parties.
12. The AEC is a three member body, supported by a full time secretariat with branches at the national level (central office), in each state/territory (head offices), and in each electoral district for the national House of Representatives (divisional offices).
13. A State/Territory Electoral Commission or Office in every State/Territory, unconnected to the AEC, is responsible under State/Territory laws for State and local elections in the relevant State/Territory. There is some coordination between the national AEC and the various State/Territory electoral management bodies. The national AEC manages the joint national/State/Territory electoral rolls, under a separate Joint Roll Agreement with each State/Territory, and may at times be engaged by individual States/Territories to assist with specific aspects of the conduct of elections within a State/Territory. An Electoral Council of Australia, consisting of representatives of the AEC and each State/Territory electoral management body, provides some advice on management of electoral enrolment.

IV. The Right to Vote

14. Australians must enroll to be able to vote, and those who are qualified to enroll to vote and vote in national elections are those who are at least 18 years of age as at election date; and are an Australian citizen or are a British subject who was on the federal electoral roll as at 25 January 1984; and have lived at their current address (or an address within the same federal electoral district) for at least one month prior to applying for electoral enrolment. To encourage voting by youth, voters may enroll when they attain 17 years of age, but may not vote until they are 18.
15. Persons disqualified from enrolling as a voter for national elections are those who are of unsound mind (those incapable of understanding the nature and significance of voting), are serving a sentence of imprisonment, or have been convicted of treason or treachery and have not been pardoned.
16. Each State and Territory sets its own qualifications and disqualifications for enrolling to vote at its State and local elections. These may differ from the qualifications and disqualifications to enroll to vote for national elections.
17. Electoral enrolment and voting is compulsory, except for voters overseas and those registered as itinerant or Antarctic voters. Failure to vote without an acceptable reason is subject to administrative penalty. That electoral enrolment and voting is compulsory has had a significant effect on the electoral

practices developed in Australia.

18. National law has defined a number of special registration categories to cater for electoral enrolment and voting for national elections by groups that otherwise may find it difficult to enroll to vote and vote. These include:
 - a. persons 17 years old who wish to enroll to ensure that they are included on the electoral roll immediately they turn 18 (age 17 electors);
 - b. Australians overseas who intend returning to Australia within six years (overseas electors). Registration as an overseas elector is for an initial three years with a three year extension. If the voter does not return to Australia within six years he/she can apply for limitless year by year extensions of his/her enrolment. Overseas electors generally are enrolled for the electoral district for which they would last have been entitled to enroll when in Australia.
 - c. persons with no fixed address (itinerant electors). These voters will usually be enrolled for the last address for which they were entitled to enroll to vote;
 - d. persons serving in Antarctic missions (Antarctic electors);
 - e. persons who can establish their security would be at risk if their address were shown on publicly available electoral rolls (silent electors). These electors' addresses are not published on any electoral roll products;
 - f. persons who through physical disability are unable to provide a signature (incapacitated electors). If supported by a doctor's medical certificate, another voter may sign the application for electoral enrolment on their behalf;
 - g. persons who qualify - through illness, distance from a voting station, religious belief, imprisonment, or other reasons defined in law—to automatically receive a mail ballot at each election (general postal voters); and
 - h. voters living in the Australian Territory of Norfolk Island.
19. These special categories of electoral enrolment may not be available for enrolment for State/Territory and local elections in the State/Territory for which the voter is enrolling.

V. System and Procedure of Voter Registration

20. Voters in Australia may enroll to vote at any time, and the electoral roll is updated daily. However, if a voter applies for electoral enrolment (as a new voter, or to change enrolment to a different electoral district, or to register under a special category of enrolment) after the enrolment cut off date for an election, this cannot be processed until after the election. The cut-off date (called 'close of rolls') for new enrolments for national elections is the day on which the election is officially proclaimed - which may be between 22 and 58 days before voting day. People already enrolled have a further three days after this deadline to change any details of their enrolment. The cut-off date is determined variously by each State/Territory for State/Territory and local elections.
21. Once a voter has enrolled he/she can no longer be subject to sanctions for any earlier failure to enroll. A single national electoral enrolment database is maintained by the AEC. However, as the AEC Joint Roll Agreements also maintains the electoral roll for each of the States and Territories, voters' entries on the federal electoral roll are coded to indicate if the voter is also eligible for electoral

enrolment for the relevant state or territory's elections, so that each State/Territory can be provided with an accurate extract from the federal electoral roll for its own elections.

22. Electoral enrolment is voter initiated, though the AEC has pro-active programs to identify eligible persons who are not enrolled or not correctly enrolled, and to obtain their enrolment. The responsibility for development, maintenance, security and integrity of the AEC's computerized Roll Management System (RMANS) lies with a management unit in the Electoral Operations division of the AEC's central office. However all processing of electoral enrolment forms is done in the AEC's local offices in each of the electoral districts for federal elections.
23. A qualified person enrolls to vote by completing an electoral enrolment form which may be obtained from any Post Office, AEC office (by post or in person), State/Territory Electoral Office or from the AEC's website. Each new citizen is provided with an electoral enrolment form, pre-completed with the citizen's details, at citizenship ceremonies. To encourage youth to enroll the AEC arranges for enrolment forms to be included with final high school results advice letters. A person who is enrolled to vote must submit a new electoral enrolment form if he/she changes address or name.
24. The enrolment form requires the applicant to provide details of: full name; residential address; address for delivery of notices from the AEC (if different to residential address); date of birth; contact phone number; occupation; gender; country of birth (if outside Australia); citizenship, including details of Australian citizenship if not a citizen by birth; if previously enrolled to vote, the former address of enrolment; and any former family or given names. The voter may also provide other relevant details (e.g. Maps of the residential location in remote areas without street addresses) to assist the AEC to correctly process the application.
25. Once this information has been filled in, the applicant and a witness, who must be a person qualified for electoral enrolment, must sign a declaration on the form that the information provided is true and complete, and that the applicant is eligible for electoral enrolment. Electronic signatures are not accepted. No proof of identity is required (Australia does not have any identity card system). Criminal penalties of up to 12 months imprisonment apply to persons found guilty of making a false statement on an enrolment form, and of up to 10 years imprisonment for forging an enrolment form.
26. Completed enrolment forms may be returned to the AEC by post (the AEC makes pre-paid reply envelopes available at Post Offices) to any AEC office, by fax, or may be scanned and emailed. Voters can also enroll at any AEC office.
27. Special electoral enrolment forms, requiring additional information, must be completed for those wanting to use the special enrolment provisions detailed at paragraph 18 above.
28. Enrolment forms received by the AEC are checked for completeness, and AEC staff investigate information they are not satisfied is correct. Data on an enrolment form is key entered into the computerized electoral enrolment system, in each of the AEC's electoral district offices, as soon as the form has been verified as complete and correct.

VI. Data Management and Storage

29. All electoral enrolment data is maintained in a centralized Roll Management System (RMANS) database, managed centrally. From this database the AEC produces the electoral roll products it requires, and makes available to each State/Territory the data and products agreed under the relevant Joint Roll Agreement. The centralized database is continuously updated with additions and amendments entered from the AEC's office in each electoral district. Over 80 million records, including complete histories of any changes to each voter's name, address and other electoral data are

held on the RMANS system.

30. The data is held as an 'address based' system—that is, a comprehensive national file of addresses is kept, and voters linked to these. This is a more effective basis than attempting to find and verify addresses to link to data held on persons.

VII. Data Management Technology

31. Currently the AEC's RMANS database is stored on a central mainframe networked to computers in the AEC office in each State and federal electoral district. The database is held in an Adabas Natural environment. The RMANS system processes electoral enrolment data, produces electoral enrolment products, and maintains the address data on which Continuous Roll Update programs are based. There is capacity to match data, in accordance with privacy law, with other government agencies, to identify possible inaccuracies in the electoral roll for follow up.
32. RMANS is an amalgamation of a number of old and recently developed systems. The AEC is currently planning the complete redevelopment and full integration of its computerized management systems, including for electoral roll management, in the 2006-2010 period. Security is being enhanced through providing additional network attached storage servers to the AEC's electoral district level offices. Successful trials of potential improvements, such as optical scanning and character recognition to process electoral enrolment information, have been undertaken. The planned upgrades will allow easier adaptation to emerging technologies, and greater use of applications based on open source operating systems is being considered.

VIII. Type of Voters' List Generated

33. The national electoral roll is kept in electronic format by the AEC. Hard copies are not available. The AEC provides regular electronic copies of the electoral roll (or relevant geographic extracts) to members of national parliament and federally registered political parties. Medical researchers and specified government investigative and service agencies may also receive extracts from the electoral roll database. Distributing or making any commercial use of this electoral roll data is prohibited, as is the sale of any electoral roll products. Each State/Territory also receives from the AEC the segment of the electoral roll relevant to its elections, and has its own rules for distributing this.
34. For national elections and referendums, the AEC produces a Certified List of Voters for each electoral district, to be supplied to all voting stations in the electoral district (electoral law allows voters to attend any voting station in their electoral district). The Certified List contains the voter's name, address, and, since 2004, gender and date of birth. The Certified Lists are produced in a format suitable for Optical Mark Reading, so they can be scanned to determine which voters apparently did not vote, where voters voted, and to assist in preventing multiple voting.

IX. Proof of Registration

35. When a voter is added to the electoral roll database, the AEC sends him/her an Acknowledgement Card showing the voter's name and address as they appear on the electoral roll, the federal electoral district for which he/she is enrolled, and in some States the electoral district for State elections and the local government area. The Acknowledgement Card is for information only. Australian voters do not need to produce any proof of electoral enrolment when voting.

X. Maintenance of Voters List

36. Voters are required to complete and submit a new enrolment form indicating a change of address within 21 days of their having lived at that address for a month. The computer system automatically sends the voter's previous entry on the electoral roll to a separate enrolment history (archive) file when the new address is processed. The AEC receives monthly lists from the relevant state agencies of those who need to be removed from the electoral roll for reasons of death, or imprisonment.
37. An elector may, and an AEC electoral district office manager (Divisional Returning Officer or DRO) must, challenge the inclusion of an elector on an electoral roll by lodging an 'objection' if they believe the elector is not entitled to be on the roll in that electoral district. The challenged elector is notified in writing of the objection and has 20 days to respond in writing. The DRO's decision on whether to maintain or remove the elector from the electoral roll is also communicated to the challenged elector in writing. The elector may request that this decision be reviewed by a senior AEC officer, and may further appeal to an administrative tribunal. The objection process must be used for all removals of a voter from the electoral roll.
38. Voters attending a voting station and finding they are not on the electoral roll may be given a 'provisional vote' which is sealed in an envelope, and place within an outer envelope on which the voter writes his/her details and signature. These details are checked immediately after voting day against enrolment records and the historical enrolment database, and if it is found that the AEC has removed the voter from the electoral roll in error, the inner envelope containing the voter's ballot paper will be included with the ballots to be counted, and the voter restored to the electoral roll.
39. Until the late 1990s, the AEC visited every residence in each State/Territory on an approximately 2-year cycle, to check the electoral enrolment of all eligible persons at each address. Due to the expense of these 'habitation reviews', the AEC has since used a computer based Continuous Roll Update (CRU) methodology, that focuses on population groups and addresses where enrolment details change regularly. Data on the roll is continually reviewed, and is matched with other national and State data sources (such as postal, immigration, driver's license, electricity, gas and telephone supply records) to identify specific addresses from which, or into which, people are moving, apparently vacant dwellings and other indicators. The AEC then checks these addresses either by visit, mail or telephone, sending electoral enrolment forms to these addresses and taking follow up action to encourage their residents to enroll correctly.

XI. Quality Assurance Mechanisms

40. The AEC implements a number of quality control measures on the data in the electoral roll, including:
 - a. electoral enrolment forms are checked for completeness and accuracy before data entry, and internal verification routines within RMANS check for anomalous data;
 - b. the objection process assists in identifying and removing outdated data from the electoral roll;
 - c. use of data matching with other agencies, and computerized targeting of addresses with unusual, no, or considerable movement in electoral enrolments;
 - d. regular audits of a sample of electoral enrolment transactions;
 - e. printing of the certified lists for elections is monitored by a number of computerized check routines that ensure that the correct data is extracted from the electoral roll for the certified lists for each electoral district.

XII. Transparency and Accessibility to the Public

41. The current electronic electoral roll for the relevant State or Territory can be viewed by the public in

the AEC's office in each electoral district. The AEC's central office and State Head Offices have the Australia wide electronic electoral roll available for viewing. Registered political parties and members of the national parliament have a legal entitlement to copies of the electoral roll or relevant geographic extracts. Electors may also verify their own enrolment details online through the AEC website.

XIII. Voter Education

42. The AEC runs specific education campaigns encouraging people to enroll to vote, peaking in an intensive media campaign between the announcement of, and close of rolls for, an election. The AEC's four Electoral Education Centers, school and community visit programs, poster and other print materials, the AEC website, teacher resource kits and education programs for indigenous Australians and other special needs groups, all include a significant emphasis on electoral enrolment. No data is available identifying separately expenditure on voter education for electoral enrolment.

XIV. Voter Registration Cost

43. Costs of voter registration vary from year to year according to the electoral cycle for national elections (three years) and for State/Territory elections (varying lengths). Recent financial year (July-June) costs (including allocated overheads) are 2004-5—\$AU52,653,000 (\$US39,490,00), 2003-4—\$AU73,346,000 (\$US55,010,000) and 2002-3—\$AU64,091,000 (\$US48,070,000).
44. A 2002 external audit of electoral roll integrity calculated that this costs of enrolling an individual voter—including staff, property and IT overheads, and direct costs of processing, voter education, CRU, targeted fieldwork—varied in relation to the effort the AEC had to make to obtain the enrolment. Where a person enrolled with no prompting, costs could be around \$AU 8.46 (\$US6.35) per voter, however at the extreme where multiple residential visits had to be made to obtain an enrolment, the cost could be as high as \$AU17.35 (\$US13.00) for a voter.

XV. Performance Standards

45. For the financial year 2004-2005, the AEC set 23 minimum performance standards for its electoral roll management, significant amongst which were:
- a. at least 95 percent of eligible electors must be on the rolls;
 - b. 100 percent of enrolled electors are qualified at the time of enrolment;
 - c. 90 percent of electors are enrolled for their current address;
 - d. 99.5 percent of enrolment forms are correctly processed;
 - e. 100 percent of deaths notified are removed from the roll within five business days;
 - f. less than 10 percent of habitable addresses show no enrolments;
 - g. a minimum of 2.3 million enrolment transactions (excluding deletions);
 - h. all enrolment forms received to be processed within three days; and
 - i. the cost of entry to RMANS be kept below \$AU2.75 (\$US2.06).

XVI. Performance of the Voter Registration System

46. In 2004-2005 the AEC in almost all cases met, and generally exceeded, its performance targets. A sample fieldwork audit in March 2005 showed that 96.3 percent of eligible voters were enrolled in their correct electoral district and 91.1 percent were enrolled for their current address. Targets for the production of fully accurate and on time roll products for election and redistricting use were fully met.
47. Responding to external audit recommendations, the AEC has agreed: to further enhance its electoral

roll management performance by improving its management information systems to increase roll accuracy, and enable better monitoring of the impacts and costs of its enrolment activities; and to improve data security. External audits have also noted that State/Territory data matching sources have proved very effective for locating electors who have changed address; however the AEC so far has had limited access to these.

48. There have been regular allegations since the late 1980s, in the media and to committees of the national parliament reviewing the performance of the AEC after each national election, of fraudulent electoral enrolment. There has been resulting pressure, especially by more conservative political elements at the national level, to tighten verification procedures for electoral enrolment and to make enrolment less accessible. However, recent external audits have concluded that the quality of the electoral roll is high, and judicial inquiries have dismissed allegations of significant electoral enrolment fraud.
49. In June 2006, the national parliament passed amendments to law that changed the close of rolls date for a national election—from seven days after the formal proclamation of the election date, to the day of the proclamation. These amendments also barred all prisoners from enrolling to vote and voting (previously only those serving a sentence of three or more years imprisonment were barred). It is estimated that these changes are likely to disenfranchise around 180,000 persons at future elections.