

**From:** INFO  
**Sent:** Thu, 1 Oct 2020 08:04:14 +1000  
**To:** S 22  
**Subject:** RE: [COMPLAINT Political parties and candidates - Not listed] , () \*WWW\*  
[SEC=OFFICIAL]

Good Morning,

Thank you for your email.

The *Commonwealth Electoral Act 1918* (The Electoral Act) does not regulate truth in electoral advertising nor does the AEC have any power to restrict the amount of electoral advertising that candidates and political parties may choose to communicate to electors or the manner in which they communicate with electors.

The distinction between facts and opinion is not something that is regulated by the Electoral Act. The powers of the AEC to address “misleading and deceptive” “electoral advertising” in subsection 329(1) of The Electoral Act are limited. Subsection 329(1) of the Electoral Act provides that:

“(1) A person shall not, during the relevant period in relation to an election under this Act, print, publish or distribute, or cause, permit or authorize to be printed, published or distributed, any matter or thing that is likely to mislead or deceive an elector in relation to the casting of a vote.”

Advertising must not misinform the public as to **how to mark a ballot paper formally** (s329) and any advertising must be correctly authorised.

Please also refer to the publication on [Electoral communications and authorisation requirements](#) on the AEC website.

While members of parliament are entitled to roll information under section 90B(1) of the Electoral Act, the AEC does not provide telephone numbers or email addresses in its possession to any third party.

The AEC is aware major political parties maintain an extensive data base for contacting electors and or media reports that telephone numbers were purchased from unnamed suppliers.

The Electoral Act underpins the electoral process. Any changes to this law are decided by the parliament, not by the AEC. If you would like to recommend changes to this law, you can contact your representative in the Senate or the House of Representatives or write to the parliament's [Joint Standing Committee on Electoral Matters](#) .

Accordingly, the AEC has no power to address your concerns.

Yours sincerely

**Angela | Public Enquiries Officer**  
Australian Electoral Commission  
Ph: 13 23 26 or 61 2 6160 2600 (if calling from overseas)



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**From:** § 22 @hotmail.com <§ 22 @hotmail.com>  
**Sent:** Wednesday, 30 September 2020 7:00 PM  
**To:** Complaints Management <Complaints.Management@aec.gov.au>  
**Subject:** [COMPLAINT Political parties and candidates - Not listed] , ( ) \*WWW\* [SEC=OFFICIAL]

Form submitted: 30/09/2020 07:00 PM

## Complaint

**Category** Political parties and candidates - Not listed

### Primary Details

**Given name(s):**

**Surname:**

**Organisation:**

**Email:** § 22 @hotmail.com

**Phone number:**

**Electoral division:**

§ 22

### Complaint Details

I would like to complain about Andrew Laming who is using social media to harass people and when someone comments disagreeing with him he cross references them with the electoral roll § 22

§ 22 ) and used that privileged information to try and discredit/disregard their comment. I have also received multiple text messages from his campaign to which I have requested on multiple occasions not to be included in the list of numbers being messaged.

### Expected Outcome

Im expecting some sort of disciplinary action and this is not the first time he has misused privileged information to harass people.

## Additional Information

**Address:**

**Line 2:**

**Locality:**

**State:**

**Postcode:**

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I am a silent elector: No