

## Referendum: Funding arrangements for referendums

### Commissioner's summary

<b>Issue</b>	Funding arrangements for the delivery of referendums and YES/NO campaigns.
<b>Position</b>	The funding for the conduct of referendums and YES/NO campaigns would be provided via an appropriation from a government decision as part of the Budget process
<b>Points</b>	The funding would form part of the Annual Appropriation Bills.

### Key facts and figures

- As part of the October 2022-23 Budget, the Government provided various agencies \$75.1 million over two years from 2022–23 as part of the *Delivery of a First Nations Voice to Parliament Referendum – preparatory work* measure to prepare for the delivery of a referendum to enshrine a First Nations Voice to Parliament in the Constitution.
- The AEC component of the measure funding is reflected in the Appropriation Bill 1 2022-23, and includes:
  - \$50.2 million in 2022–23 to the Australian Electoral Commission to commence preparations and support work to deliver the referendum.
  - \$16.1 million over two years from 2022–23 to the Australian Electoral Commission to increase First Nations enrolment and participation in future electoral events
- This measure is additional to \$160.0 million in funding already provisioned in the Contingency Reserve.

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<b>Branch</b>	Finance and Corporate Performance	<b>Updated</b>	06/02/2023
<b>Contact</b>	Sally So, Chief Financial Officer	<b>Printed</b>	7/02/2023 10:09 AM

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## FINANCIAL MATTERS

### Commissioner's summary

<b>Issue</b>	The AEC's financial position and funding model.
<b>Position</b>	There are ongoing challenges with the AEC's funding model.
<b>Points</b>	<ul style="list-style-type: none"><li>• The Australian National Audit Office has issued an unmodified audit opinion for the AEC's 2021–22 financial statements.</li><li>• For 2021-22, the AEC reported a loss on continuing operations of \$24.5 million compared to an operating surplus of \$47.9 million in 2020-21.</li><li>• The AEC's range of electoral activities is subject to external factors which can impact the timing of our expenditure. Consequently, our operating result can fluctuate significantly from year to year.</li><li>• The AEC's current funding model continues to present an ongoing challenge and poses significant risk in managing increasingly complex electoral events and the ongoing growth of the electoral roll.</li></ul>

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<b>Branch</b>	Finance and Corporate Performance	<b>Updated</b>	20/01/2023 8:56 AM
<b>Contact</b>	Sally So, Chief Financial Officer	<b>Printed</b>	20/01/2023 8:56 AM

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## VENDORS, PROCUREMENTS AND MAJOR TENDERS

### Commissioner's summary

<b>Issue</b>	Status and timing of major AEC procurements and tenders published on AusTender over the 2022–23 financial year.
<b>Position</b>	<p>The AEC has undertaken extensive preparation and planning to have relevant procurement processes and contracts in place for the next federal election or referendum event.</p> <p>The AEC engages a number of suppliers to deliver some key supporting elements that assist in the AEC's delivery of federal electoral events. AEC procurement information is published on AusTender.</p>
<b>Points</b>	<ul style="list-style-type: none"> <li>• The AEC engages a number of suppliers in support of delivering federal election events including a referendum.</li> <li>• Procurements are undertaken in accordance with the AEC Procurement guidelines and policies including the Commonwealth Procurement Rules (CPRs).</li> <li>• The AEC uses various procurement methods to approach the market and engage suppliers, to ensure value for money is achieved.</li> <li>• The AEC continues to manage procurements and potential risks associated with the COVID-19 environment, sustainability in procurement, and political neutrality.</li> </ul>

### Talking points

**Question:** *If a referendum goes ahead in 2023, will the AEC have relevant contracts in place?*

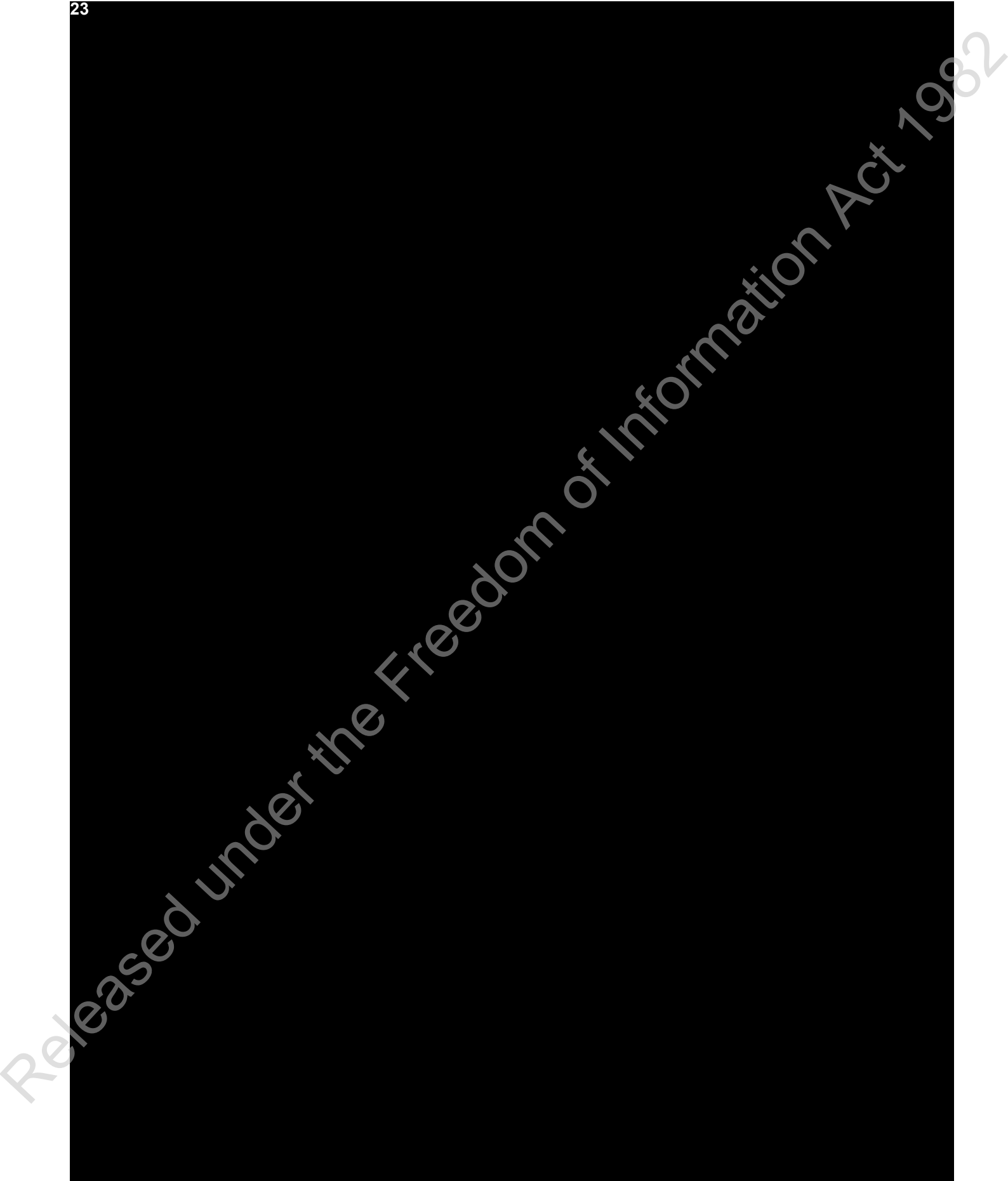
- Yes, planning for a referendum event in 2023 is well underway. We have a Referendum Procurement Plan, based on the Referendum Road Ready Roadmap, tracking all critical referendum procurements and contracts.

<b>Branch</b>	Finance and Corporate Performance Branch	<b>Updated</b>	09/01/2023 05:00PM
<b>Contact</b>	Stuart Oreo, A/g Assistant Commissioner	<b>Printed</b>	20/01/2023 8:56 AM

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## PERFORMANCE STATEMENTS

### Commissioner's summary

<b>Issue</b>	2021-22 Annual Performance Statements.
<b>Position</b>	The 2021-22 Annual Performance Statements show the AEC met the majority of performance targets. There is room for improvement on a minority of measures.
<b>Points</b>	<p>The AEC's performance is measured against the key activities as specified in the Corporate Plan 2021-22 and the performance criteria in the Portfolio Budget Statements.</p> <ul style="list-style-type: none"> <li>• <b>14 of 19</b> (74%) performance measures rated '<b>met</b>'</li> <li>• <b>1 of 19</b> (5%) performance measure rated '<b>on track to be met</b>'</li> <li>• <b>4 of 19</b> (21%) performance measures rated '<b>partly met</b>'</li> <li>• No performance measures rated '<b>not met</b>'.</li> </ul> <p>Further details of performance measures that are 'on track to be met' and 'partly met' can be found in the Annual Report 2021-22.</p>

### Talking points

**Question:** In the AEC's 2021-22 Annual Report under the 'Performance Report' Chapter, the AEC has assessed itself as 'partly met' against the performance measure relating to: 'Percentage of voters enrolled who turn out to vote at all federal electoral events (turnout rate)' Could you explain this?

- The AEC will undertake further analysis to determine the causes of the slightly lower turnout, with the COVID-19 environment and the larger enrolment base likely contributing factors.

**Question:** In the AEC's 2021-22 Annual Report under the 'Performance Report' Chapter, the AEC has assessed itself as 'partly met' against the performance measure relating to: 'Percentage of identified APS and TEW staff that undertake specific training relevant to their role' Could you explain this?

- The AEC adopts a blended learning approach in the training and development programs it delivers to build the professional and operational capability of its workforce. The diverse range of formal and informal learning activities staff engage with mean that data is more difficult to produce as evidence performance is met. Examples of formal and informal learning activities include: online training, demonstrations, walk-throughs and simulations, rehearsals, virtual classrooms.
- Learning completion rates for the TEW will be reported in the 2022 Electoral Pocketbook.

<b>Branch</b>	Finance and Corporate Performance	<b>Updated</b>	20/01/2023 9:38 AM
<b>Contact</b>	Sally So	<b>Printed</b>	20/01/2023 9:38 AM

## TRAVEL

### Commissioner's summary

**Issue** Cost of travel.

**Position** The AEC has offices across the country. There are ongoing requirements for our staff to travel within the network for activities such as election preparation and delivery.

**Points**

- Total travel expenditure:
  - 2021-22: \$5.393 million
  - 2020-21: \$1.579 million
  - 2019-20: \$1.699 million
  - 2018-19: \$6.535 million
- 2021-22 travel expenses increased compared to 2020-21 and 2019-20 due to the 2022 federal election.
- Total travel expenditure includes all costs associated with domestic and overseas travel – travel allowance, airfares, accommodation, vehicle hire, taxis etc.
- Overseas travel is undertaken for a variety of reasons including networking with international partners and supporting reform agendas in other countries, particularly developing democracies. Support to other countries is funded by Department of Foreign Affairs and Trade.

### Talking points

**Question:** Does the AEC adhere to the Whole of Australian Government Travel Policy?

- Yes, including selection of the lowest practical fare unless a valid reason is identified, documented and approved as part of the travel process.
- There are limited reasons for not selecting the Lowest Practical Fare, including:
  - the most direct or shortest route to minimise traveller's inconvenience;
  - health and safety issues for officers requiring certain facilities;
  - ability to ensure connections for further flights are met; and
  - impact on personal responsibilities such as family (e.g. where flights would otherwise be outside normal business hours).

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## INDIGENOUS VOTER SERVICES AND ENGAGEMENT

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<b>Lead branch</b>	Community and International Engagement	<b>Updated</b>	09/02/2023
<b>Contact</b>	Rachel Allen, Director	<b>Printed</b>	10/02/2023 8:52 AM

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## KEY ISSUE SUMMARIES

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### Overview – Key talking points

- The AEC is committed to the full electoral participation of all eligible Australians and is investing in partnerships and activities that promote the full electoral participation of First Nations Australians.
- The AEC recognises that for First Nations Australians living in remote communities, electoral participation rates have been historically lower than for those in more populated areas.
- The AEC notes that this is a complex area and there is more work to be done, and the AEC remains committed to this important work.
- Compared to previous elections, **for the 2022 federal election** there were:
  - more First Nations people represented on the electoral roll
  - more resources available on voting and elections in First Nations languages than before
  - more partnerships established with organisations that are trusted by First Nations communities
  - more Aboriginal and Torres Strait Islander people employed as Temporary Election Workforce staff.
- Indigenous enrolment rate estimates have been published by the AEC since June 2017. The December 2022 estimate is a national Indigenous enrolment rate of 84.5 per cent.
- The Indigenous enrolment rate has grown consistently from 74.7 per cent in 2017 to 84.5 per cent in December 2022.
- While any gap between non-Indigenous and Indigenous enrolment rates is disappointing, it is encouraging to see that estimated Indigenous enrolment rates have been increasing over time.
- The AEC is also undertaking considerable work to improve the effectiveness of its **FDEU direct enrolment program** for First Nations people.
  - Three trial activities were completed in the second half of 2022 which added an estimated 15,500 First Nations people to the roll. In light of trial outcomes, changes to the mainstream FDEU program have been adopted and we expect this to lead to further increases in the Indigenous enrolment rate.
  - One further trial activity will commence in February 2023.
- As part of the **Enhancing Indigenous Electoral Participation** project, the AEC ran the first phase of a targeted enrolment advertising campaign in November/December 2022, with a further phase planned in the first half of 2023.
- The **AEC's Indigenous Electoral Participation Program** is also working to support electoral participation of First Nations peoples through establishing partnerships, working with State and Territory agencies to undertake remote enrolment work, and delivering targeted and culturally appropriate services and information.
- The AEC is currently expanding and enhancing its remote polling services to offer an improved level of service in more locations.

## Indigenous enrolment estimates

### Commissioner's summary

**Issue** Despite steady increases, there is still a gap between the national enrolment rates and the estimated Indigenous enrolment rate.

**Position** While any gap between non-Indigenous and Indigenous enrolment rates is disappointing, it is encouraging to see that estimated enrolment rates for First Nations Australians are increasing over time.

**Points** Headlines

- Updated AEC estimates show that an additional 21,000 Indigenous Australians have enrolled to vote between the end of June 2022 to the end December 2022, bringing the national estimated Indigenous enrolment rate up to 84.5% (up 2.8%).
- The rapid rise easily represents the largest increase since estimates were first calculated in this manner by the AEC in 2017.
- We continue to work really hard in getting as many people to enrol as possible, with a particular focus on young Australians and Indigenous Australians who aren't enrolled at as high a rate as others.
- The AEC's recent direct enrolment trials are proving successful. Remote engagement work through AEC staff and 80+ community partners is having an impact and recent Indigenous enrolment communication campaigns are helping to achieve the continued enrolment rise as well.
- The estimated number of 'unenrolled' Indigenous Australians has gone under 100,000 for the first time – to just under 87,000 – and that is significant.

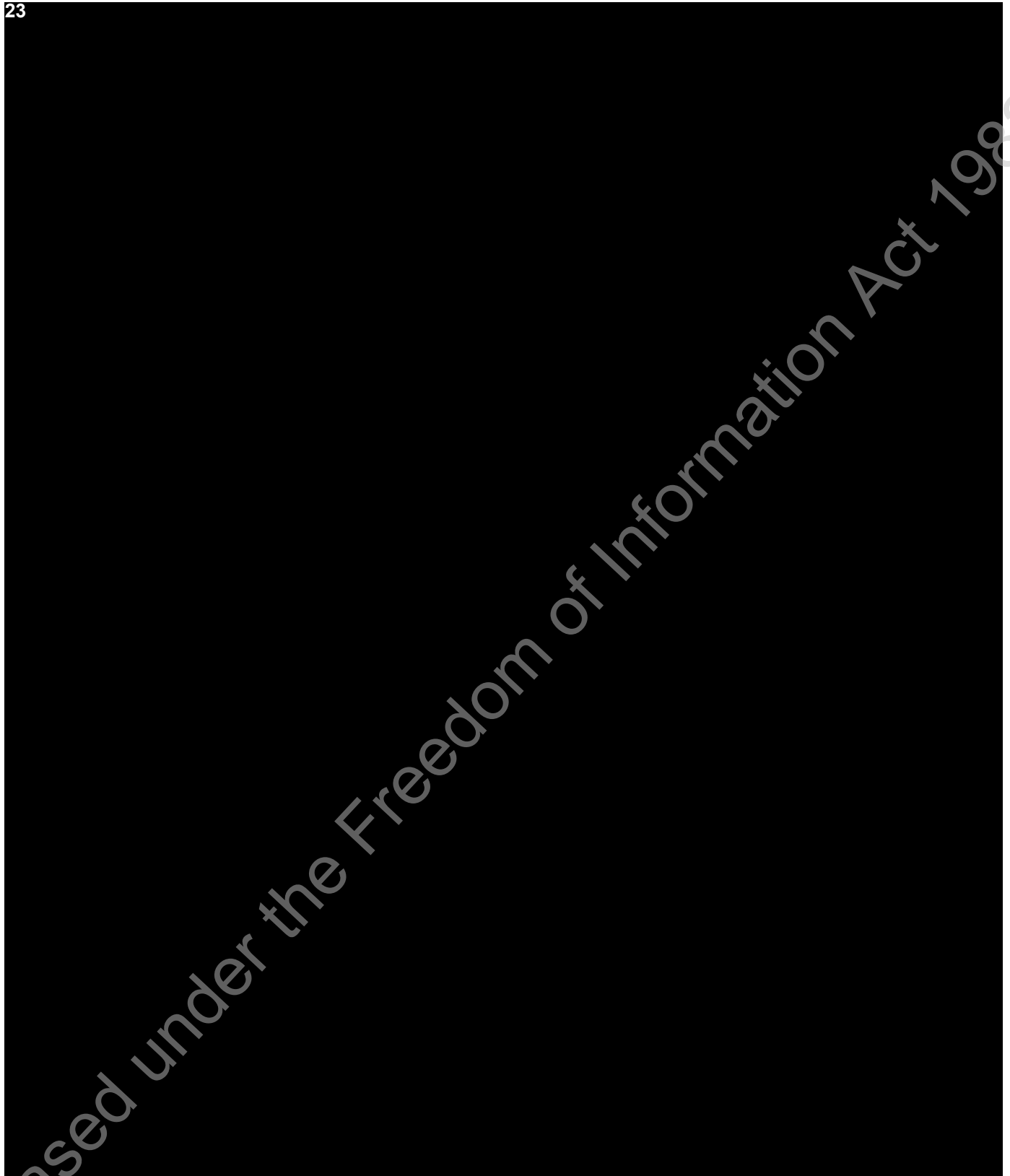
Stats

- As at 31 December 2022, the estimated Indigenous enrolment rate is 84.5 per cent.
- This is the highest level of estimated Indigenous enrolment ever achieved, however there is more work required to achieve parity.
- The rate is increasing in every state and territory.
- Continuous growth has seen the estimated enrolment rate increase from 74.7 per cent in June 2017 to 84.5 per cent in December 2022.
- The estimated number of eligible Indigenous people not enrolled has decreased by 30 per cent since June 2017.
- These enrolment gains have significantly outpaced the growth of the national electoral roll.

**Question:** What advice has AEC provided to Government on Indigenous enrolment?

- Answer: Annual rates at 30 June have been published since 2017.





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## REFERENDUM PREPAREDNESS

### Commissioner's summary

**Issue** Preparedness for a referendum in 2023.

**Position** The AEC is an independent statutory authority and is responsible for the machinery of the referendum only. It has no involvement with the campaigns for or against the proposed changes to the Constitution.

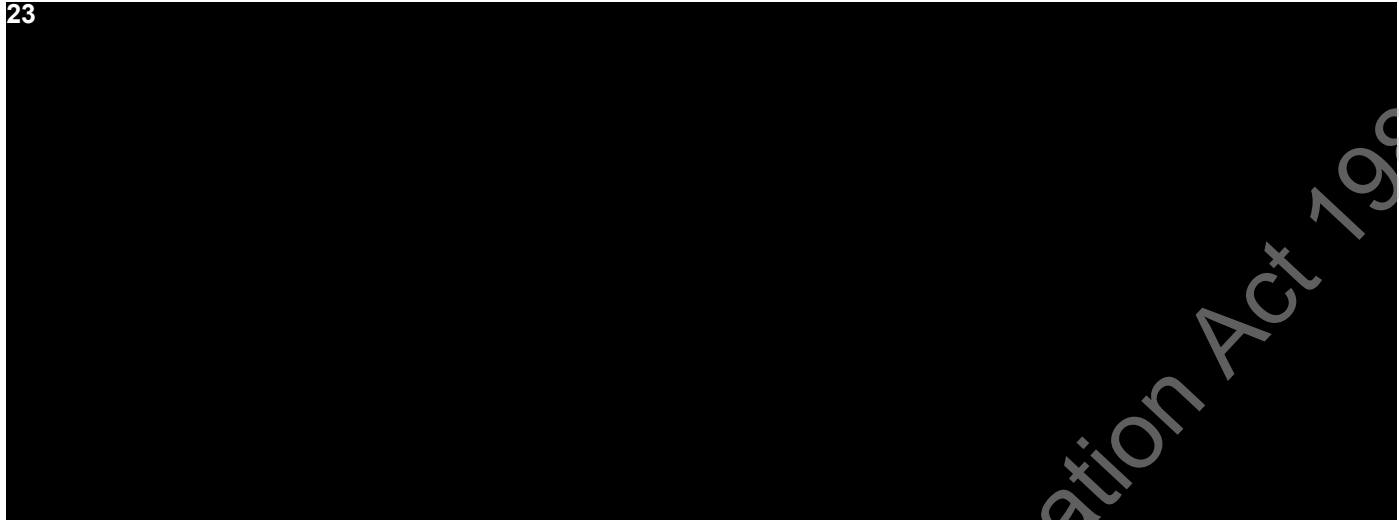
Timetables for the conduct of referendums are set out in legislation.

- Points**
- With appropriate lead time and funding, the AEC is ready to conduct a referendum.
  - A referendum delivered in a similar manner to a federal election will have similar costs. The last federal election was budgeted at approximately \$420 million.

<b>Branch</b>	Delivery and Support	<b>Updated</b>	23/01/2023
<b>Contact</b>	Natasha Scandrett	<b>Printed</b>	23/01/2023



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## COVID SAFETY MEASURES – 2022 FE

### Commissioner's summary

<b>Issue</b>	COVID safe measures to support the conduct of the 2022 federal election.
<b>Position</b>	In the lead up to the 2022 federal election, the AEC was responsive to the changing environment and was able to safely deliver a free, fair and safe event without a spike in COVID-19 cases due to the federal election.
<b>Points</b>	<ul style="list-style-type: none"> <li>• <b>Legislation</b> does not allow for alternative voting models such as 100 per cent postal voting, or use of electronic voting options. As such, planning was undertaken on the basis of existing legislation, accounting for potential changes in voting patterns. This included the <i>Contingency Measures Act</i> which enabled the Electoral Commissioner to make limited operational modifications by legislative instrument where an emergency declaration was in place under a Commonwealth law and the <i>COVID Enfranchisement Act 2022</i>, which expanded telephone voting to provide contingency for electors in mandatory isolation or quarantine due to COVID-19.</li> <li>• <b>Risk:</b> The AEC actively engaged with stakeholders and vendors to understand the requirements to deliver an election with COVID-19 safety measures. This included managing health risks and from a materials perspective, issues with supplier procurement and lead times, product availability, and the resultant cost impacts. The AEC had a dedicated response unit to actively monitor the COVID-19 environment including the changing nature of the pandemic in each jurisdiction and the impact on and response required for the election. We developed contingency plans to respond to evolving conditions.</li> <li>• <b>Staff:</b> Additional staff were engaged in polling places and counting centres to manage voter queues, perform touch point cleaning, and undertake vote issuing and counting to ensure physical distancing was maintained where possible. All staff engaged for the federal election were required to be vaccinated and wear masks.</li> </ul>

### Talking points

**Question:** *Was the AEC prepared to deliver an election if there was a snap lockdown announced during the polling period?*

- Our planning and delivery models were designed to allow the AEC to be agile and respond to a changing environment, particularly during this time.
- The AEC actively worked through additional contingency planning to maximise the availability of voting services for all Australians.
- The AEC worked to the advice provided by federal and local health authorities.
- The AEC had contingencies in place to deliver an election should there be additional restrictions in place during polling in one or more locations. This included deployment of additional Personal Protective Equipment to polling places as necessary, as well as funds set aside for additional cleaning of premises.

<b>Branch</b>	Delivery and Support Branch	<b>Updated</b>	23/01/2023
<b>Contact</b>	Natasha Scandrett, Assistant Commissioner	<b>Printed</b>	23/01/2023 8:38 AM

**Question:** *The vaccine rollout allowed for restrictions to be eased. Was the AEC concerned that taxpayers' money would be wasted on resources that were no longer needed?*

- Advice from the Department of Health was that COVID-19 safety measures would likely need to remain in place in some form for the foreseeable future.
- Given the AEC had been ready to deliver an election since August 2021, there were some spent costs. If restrictions had been significantly reduced the AEC would have looked to achieve savings where possible without jeopardising the safety of the public.



## EARLY VOTING

### Commissioner's summary

**Issue** The rise in early voting.

**Position** Early voting is important in ensuring fair and equitable access to voting services. Under the Electoral Act, Australian voters have a range of voting options, and more than ever before they are exercising the right to cast their ballot before election day.

The *Electoral Legislation Amendment (Counting, Scrutiny and Operational Efficiencies) Act 2021* reduced the period by which early voting can occur, with earliest days declared for early voting to not be earlier than 12 days before election day.

- Points**
- In person early voting continues to rise. It now makes up more than 36 per cent of all votes counted.
  - Pre-poll ordinary voting was approximately 5.07 million votes, an increase of around 18 per cent on 2019 (4.29 million votes).
  - The increase between the 2016 and 2019 election was approximately 57 per cent.
  - Approximately 583,000 pre-poll declaration votes in envelopes were received, down 10 per cent on 2019.
  - Postal votes increased significantly with approximately 2.39 million returned, compared to approximately 1.29 million at 2019.
  - Due to the pandemic, and based on advice from health authorities, there was a reduced mobile polling service for the 2022 federal election, with those voters unable to be serviced by mobile polling voting either by postal vote, at an early voting centre, or at a polling place on election day.

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<b>Contact</b>	Natasha Scandrett, A/g Assistant Commissioner	<b>Printed</b>	23/01/2023 8:40 AM

## Key statistics

Early voting – 2022 FE	
<ul style="list-style-type: none"> <li>• More than <b>7.9 million early votes</b> at the 2022 federal election</li> <li>• <b>51.34%</b> of votes were early votes, up from 41.56% in 2019</li> <li>• Includes pre-poll and postal votes, telephone votes and mobile polling</li> </ul>	
Pre-poll and postal voting	
HoR votes counted	
• Total early votes	7,836,528 (6,153,957 in 2019)
• Percentage of all votes cast	50.68% (40.79% in 2019)
Vote type	
• Pre-poll votes	5,626,120 (36.39% of total votes) - 4,906,787 in 2019 (32.52%)
• Postal votes	2,210,408 (14.30% of total votes) - 1,247,170 in 2019 (8.27%)
Telephone voting	
• Secure telephone votes (HoR)	75,366
• Blind and Low Vision	2,747 (2,043 in 2019)
• Antarctic	65
Mobile polling (all mobile polling)	
• Mobile polling teams	111
• Locations visited	456
• Votes taken	22,552 ordinary votes taken (HoR) - 114,092 in 2019
Remote Area Mobile Polling	
• RAMP teams	38 teams visited 348 remote locations

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## POSTAL VOTING

### Commissioner's summary

<b>Issue</b>	The integrity and management of postal voting in Australia.
<b>Position</b>	The AEC has absolute confidence in the integrity of the postal voting processes used in federal elections.
<b>Points</b>	<ul style="list-style-type: none"> <li>Postal Voting is governed by Part XV of the <i>Commonwealth Electoral Act 1918</i>.</li> <li>The integrity of postal voting is achieved through managing which votes are admitted to the count.</li> <li>Counting postal votes is resource intensive and takes more time than counting ordinary votes.</li> <li>Legislative changes passed by the Parliament in 2021 provide contingencies and operational efficiencies to improve postal voting services and capacity. These include: <ul style="list-style-type: none"> <li>modernising the design of postal voting envelopes</li> <li>allowing postal envelopes to be opened from the Monday five days before election day and the ballot papers extracted and placed in a sealed ballot box ready for counting after polling day.</li> </ul> </li> </ul>

### Talking points

**Question:** How many postal votes were cast in 2022, how did voters apply for a postal vote and how many postal votes were returned?

- The AEC issued 2,731,088 postal votes at the 2022 federal election, an increase from 1.5 million in 2019.
- Over 56% of voters applied for a vote online, an increase from 44% in 2019.
- 31.5% completed a paper postal vote application. These applications were processed by our partner, Computershare in all states and territories.
- The remaining 12.5% were sent to general postal voters, who automatically receive ballot papers in the mail after an election has been announced.
- The AEC received 2,382,267 completed postal votes before 13 day deadline after polling day. This represents a return rate of 87%, higher than the 2019 return rate of 84.1%.

**Question:** How did the AEC engage with key stakeholders to successfully deliver postal voting in 2022?

- The AEC recognised early in the preparation for the 2022 event that both the COVID-19 pandemic and international experience would likely have a significant effect on postal voting. We expected significantly high volumes of applications, greater scrutiny and challenges with production and lodgement.
- The AEC leveraged strong relationships with the AEC's postal vote provider Computershare and with Australia Post to ensure success. These partners provided their expertise to co-design materials and processes that mitigated risks and improved voter experience.

<b>Branch</b>	Delivery and Support Branch	<b>Updated</b>	23/01/2023
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- This engagement was conducted at multiple levels of all three organisations and evolved into governance and delivery activities during the event.
- The AEC knew that a proportion of the expected volume of applications would be attributed to political party/candidate led PVA distribution. To ensure that the PVAs distributed would be compliant and provided direct to Computershare, the AEC published the PVA Management Guide on the Candidate Hub. This guide provided key information as well as QR artwork that could be added to materials as needed. Specific guides were also created for each Computershare or TIMG site, with specific opening times and access requirements.
- The AEC pursued legislative changes to the requirements for a Postal Vote Certificate in order to be able to produce the higher volumes expected.
- The short period between the passing of legislative changes and the announcement of the election did not allow for direct voter engagement. To ensure voter needs were met the AEC:
  - Sourced an experienced, external form designer to provide specialist advice and ensure voter needs and behaviours were catered for in the design of new materials
  - Inserted pictorial instructions on the inside of the new PVC
  - Tested materials with AEC staff and their families
  - Produced and published a video demonstration of how to complete a postal vote which was viewed over 120,000 times
  - Updated and added guidance on the AEC website
- The AEC is currently working on enhancing the postal vote design further to enhance the user experience and maximise enfranchisement.

**Question:** *What was the effect of legislative changes made in 2021?*

#### *Modernised design*

The legislative change in 2021 allowed AEC the opportunity to rethink the design and function of the postal voting materials sent to voters. During the redesign process AEC staff considered the difficulties faced and complaints made by voters in previous elections, production efficiencies and material durability.

To mitigate the voter concerns the AEC:

- Engaged an experienced form designer to provide specialist advice and ensure voter needs and behaviours were catered for in the design
- Provided every voter with a return envelope in which both their ballot paper and personal details were secure.
- Printed completion instructions with supporting images inside the certificate.
- Produced and published a video demonstration of how to complete a postal vote.
  - This video was accessed via a QR code within the postal vote certificate (PVC).
  - Captions for the video were translated and available in 19 different languages
  - The video was viewed over 97,000 times over April and May 2022 and was also published on our AEC TV YouTube channel which has also been viewed over 31,000 times.

The AEC worked with our partners, Computershare, to design a PVC that did not have to be glued into an envelope. Whilst a seemingly small feature of the previous design, this change:

- Eliminated multiple risks including:
  - Availability of sub-contracted services: during our preparations only one supplier in Australia was able to provide folding and gluing services
  - Ballot paper security and voter privacy: the new PVC was produced only by Computershare and did not need to be transported to other suppliers.
- Significantly increased production and ensured that postal materials were dispatched to applicants in the shortest timeframe possible.

- Provided greater control and allowed Computershare to organise additional shifts when necessary.

To ensure the new materials, specifically the return envelope, were compliant with Australia Post requirements the AEC also ran lodgement trials. These successful trials provided assurance that not only did the materials meet the addressing requirements to ensure efficient sorting by Australia Post, but also that the ballot papers could be securely returned to the AEC without damage.

*Ballot paper extraction prior to election day*

New legislation allowing votes from declaration envelopes to be extracted from the Monday prior to election day enabled the AEC to process a large number of postal vote results faster after election day. By the Tuesday after election day, results for over 750,000 House of Representatives postal votes were known, in comparison to just over 200,000 at the same time for the 2019 federal election.

**Question:** *How were PVAs managed during the 2022 election?*

PVA scanning and data capture services were provided by Computershare. The co-designed solution provided the following improvements to PVA management:

- To increase use of the online option, a QR code was added to the approved PVA artwork.
- Where possible Computershare were provided with candidate/party PVA artwork prior to the announcement of the election. This allowed Computershare to pre-program their systems to recognise and capture completed forms without requiring manual input by AEC staff.
- Paper PVAs were sent directly to Computershare to reduce double handling and ensure data was captured from PVAs as soon as possible.
- PVAs were sent to Computershare via a number of methods:
  - Candidates and parties could deliver bulk PVAs to Computershare or TIMG sites in each state and territory
  - Voters could email, fax or post their completed PVA.

**Question:** *How many PVAs were received from political parties in the 2022 election? What were the challenges with these PVAs?*

Overall the AEC received 893,243 paper PVAs of which 551, 274 (61%) can be directly attributed to political parties. The single consequence of direct delivery of PVAs to Computershare was that, due to a lack of information provided on packaging or made available to couriers, Computershare could not accurately record the source of the remaining 39% of paper PVAs.

In addition, the following challenges arose:

- some political parties chose to make significant changes to the approved PVA artwork, including removing the QR code. Each significant change needed to be reviewed by the AEC to ensure compliance and led to a delay in production.
- The AEC was not provided with all versions of the PVA artwork used by political parties and candidates. This led to PVAs distributed in particular areas with an incorrect return address. Whilst the address used was managed by the AEC, it was collected by a different supplier and led to double handling and delays in processing.
- Late engagement by both the ALP and Liberal Party with regard to their online applications did not provide adequate time for the AEC to conduct full risk assessments and mitigations.
- In line with the previous events, many queries and complaints were received from voters that had not received their postal materials despite returning a paper PVA up to 2 weeks prior to the complaint. Upon further enquiry it was found that the PVA in question had been returned to the political party and not yet received by the AEC.



**Question:** *In light of the negative comments regarding postal ballots at elections overseas, what does the AEC do to ensure the integrity of postal voting in Federal Elections?*

- Postal voting has been an integral part of Australian elections since before Federation and like all AEC processes is strictly governed by legislation and AEC policies and procedures.
- The procedures for postal voting are governed by Part XV of the *Commonwealth Electoral Act 1918* (the Electoral Act).
- Every postal vote returned to the AEC must be matched to an elector before it is included in the count.
- The matching process includes the following preliminary scrutiny:
  - Name and address match
  - Postal vote signed by elector
  - Witness requirements
  - Check that the elector and witness declarations are dated on or before polling day
  - Checks of signatures if deemed necessary
  - If the elector has already cast a declaration vote that has been counted (whether that be by postal, absent or provisional) the vote is not included in the count.
- To ensure the secrecy of the ballot, there is a specific process whereby postal votes that are to be included into the count have their ballot papers removed with the elector details facing down, and the ballot papers are then placed in a ballot box and counted separately in batches.
- Like all processes regarding the counting of ballot papers, these processes can be observed by scrutineers.

**Question:** *Did the increase in postal votes slow down the count and make it longer for seats to be declared?*

There are a number of factors that impact the speed of the count and the AECs ability to declare the poll in each division. One of these factors is the requirement to wait until 13 days after election day to receive returned postal votes, however the 2022 event saw other factors, including the increase in the number of candidates and voters marking a first preference for candidates other than the two-candidate preferred candidates, also affect the AEC's ability to declare.

New legislation that allowed ballots to be extracted from PVCs from the Monday before polling day did assist to increase the speed of the count, as did the changes to allow the unfolding and initial sorting of ordinary votes taken at pre-poll voting centres from 4pm on polling day. Further legislative change, such as beginning these processes earlier and streamlining declaration voting may further allow the AEC to provide earlier indicative results in line with public expectations.

- While the Electoral Act requires electors to cast their postal vote before 6pm on polling day, the AEC is required to wait until 13 days after election day to receive returned postal votes.
- A seat cannot be declared until the number of potential votes yet to be counted (which until the 13th day includes all postal votes issued) cannot change the outcome.
- This can mean that votes that may decide the election may not be received until almost 2 weeks after polling day. Therefore, if there is a greater percentage of postal votes, the likelihood of these votes delaying declaration is higher (particularly in marginal or close seats).
- The AEC's integrity process for the return of postal votes also means that there are more checks and balances required than counting ordinary ballot papers cast in a physical polling place. This too can slow down the count and is resource intensive. The AEC applies the same integrity processes to all returned postal votes, regardless of whether the result of a seat or the election is beyond doubt.



## Postal voting talking points

- When electors apply online for a postal vote application the AEC has full digital visibility of each individual application and its status. This is the way the majority (56% in 2022) of applications are received. When electors apply using a paper postal vote application, they can be received by the AEC through a number of channels including through third parties such as political parties.
- Paper forms by their nature require the data to be captured from the form and the information recorded in order for the data to be included in the AEC's postal voting system and the postal vote sent. Previously this was done by manual data entry. However, developments in technology have allowed for a digital data capture solution. The AEC has used this digital solution to capture data from paper postal vote applications for the last three federal elections.
- At no stage during previous elections has the AEC had any doubt that the data from paper applications was being captured and postal votes actioned.
- Computershare Communication Services provide both the scanning of paper applications and the printing and mailing of postal voting packs.
- Comments about postal voting processes for the 2020 US elections may have meant there was more scrutiny of the Australian process. Due to the preparation and engagement activities undertaken by AEC, the AEC did not experience a significantly higher level of scrutiny. Whilst some questions and accusations were raised in social media forums, the AEC was able to quickly demonstrate the integrity of our processes and resolve problems as required.
- While the AEC attempts to match all postal vote applications to an elector on the electoral roll before dispatching the postal vote, this is not always possible. In 2022, 1.5% of the 2,731,088 postal votes issued were not matched to an elector.
- The AEC works very closely with Australia Post and Computershare to ensure postal votes are delivered before the election and to facilitate their return to the AEC. These relationships were critical to the successful delivery of postal voting services.
- The AEC received some publicity at the 2019 federal election when it was raised in the media that a postal vote for Mr Edward (Ned) Kelly was delivered to the Glenrowan Hotel. As the AEC explained at the time, the legislation allows for any *person* to complete a PVA, however, the processes upon return means the vote will only be counted if that name can be matched to the address on the electoral roll.

## 2022 federal election postal voting statistics

- Number of Postal Votes Issued: 2,731,088
- Number of Postal Votes Returned: 2,389,751
- Number of Postal Votes Admitted to count: 2,212,301
- Number of Postal Votes Partially Admitted\*: 1,256
- Number of Postal Votes Rejected\*\*: 176,880
  - \* Partially admitted means that only the Senate Ballot Paper was counted
  - \*\* 140,124 (79.2%) of postal votes rejected were due to no elector or witness signature

**Recent legislative changes**

*Electoral Legislation Amendment (Counting, Scrutiny and Operational Efficiencies) Act 2021*  
 Royal Assent 2 September 2021

Measure	Details
Remove the requirement for paper postal vote applications (PVAs) to be sent to the home division	This removes the requirement to send paper PVAs in the declaration vote exchange. The divisions where the paper PVA is received will retain the paper form with other election records, to be destroyed in accordance with statutory authorisation.
Allow digital process for overseas voters who can't find an authorised witness	Under s 194(1A), an overseas voter who can't find a witness can attach to their postal vote a signed and dated statement and a photocopy of their passport. This change allows them to submit their statement and an image of their passport electronically.
Admitting postal vote ballot papers outside PVC envelope but within an outer envelope	If a postal ballot paper is returned inside an outer envelope but outside the postal vote certificate (PVC) it is currently not allowed to be admitted to the count. This measure saves those votes. It enables the AEC to supply a return outer envelope with the postal voting pack, easing voters' concerns about privacy.
Allow extraction of ballot papers from declaration vote envelopes before polling day	The opening of the envelopes, extracting of ballot papers, unfolding and reconciling, is shifted from just before further scrutiny, to just after preliminary scrutiny, if it is up to five days before polling day. The ballot papers will be placed in ballot boxes ready for sorting and counting after the close of the poll. The AEC will extract postal votes from the Monday before election day. The process where postal votes received from electors who also voted with a mobile team are removed will no longer be conducted.

*Electoral Legislation Amendment (Contingency Measures) Act 2021*  
 Royal Assent 13 December 2021

Measure	Details
Postal vote certificate does not have to be printed on an envelope	The AEC can process a postal vote certificate placed inside an envelope as if it were a postal vote certificate printed on an envelope. This allows the AEC to provide postal vote certificates in the approved form but not necessarily printed on an envelope.

**Changes and impacts:**

- Postal envelopes may be opened from the Monday five days before election day and the ballot papers extracted and placed in a sealed ballot box ready for counting after polling day.
- Changes have been made to postal voting requirements, allowing the AEC to modernise the design of postal voting envelopes.
- The early extraction of postal votes and earlier sorting of pre-poll votes did provide some efficiencies and help the AEC cope with increasing volumes of early votes.
- There will be some ability to count postal votes and provide results earlier in the period after polling day than previously, however the AEC's priority will remain to count ordinary votes first.

## MOBILE POLLING – 2022 FEDERAL ELECTION

### Commissioner's summary

<b>Issue</b>	Mobile polling service offering for the 2022 federal election.
<b>Position</b>	Mobile polling is an important component of election service delivery. The AEC provided mobile polling to remote areas, homeless shelters, a limited number of residential aged care facilities and some prisons.
<b>Points</b>	<p><b>Residential aged care facilities</b></p> <ul style="list-style-type: none"> <li>Based on advice from health authorities and a detailed risk assessment, the AEC offered mobile polling services to a limited number of residential aged care facilities at the 2022 federal election. This decision was endorsed by all Chief Health Officers nationally in late December 2021 and required facilities to explicitly agree to a mobile team attending the facility.</li> <li>Specific arrangements were put in place to communicate with facilities about voting options for their residents and to provide support to facilities who did not receive mobile polling.</li> </ul> <p><b>Other locations (e.g. homeless shelters)</b></p> <ul style="list-style-type: none"> <li>The AEC provided mobile polling services to homeless shelters and some other community locations who agreed to the service.</li> <li>A mobile polling service was provided to a limited number of prisons that were identified as having a high risk of electors being unable to vote by another method.</li> </ul>

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## Talking points

**Question:** *What mobile polling services were provided?*

- Based on advice from the Department of Health and a detailed risk assessment, the AEC offered mobile polling services to a limited number of residential aged care facilities at the 2022 federal election where certain criteria were met. This decision was endorsed by all Chief Health Officers nationally in late December 2021.
- The AEC also conducted mobile polling at locations where there was a very high risk of disenfranchisement, such as homeless shelters and some prisons.
- Mobile polling was not conducted at hospitals or independent living facilities.
- Voters at establishments that were not offered mobile polling were able to vote by visiting an early voting centre, visiting a polling place on election day or applying for a postal vote.
- The AEC also established dedicated support staff in each state and territory to communicate and facilitate voting options for voters in aged care facilities and other locations where mobile polling was not offered.

**Question:** *How did the AEC ensure the safety of voters in residential aged care facilities?*

- Strict COVID-19 safety measures were in place for all mobile polling teams to ensure the safety of voters, facility staff, facility visitors and AEC staff. These measures included the requirement for the AEC's temporary election workforce to be fully vaccinated and to comply with relevant facility requirements.
- Chief Health Officers and individual residential aged care facilities were able to decide up until the mobile polling service was delivered whether to permit access, depending on the COVID-19 environment. Where facilities cancelled mobile polling services, these locations were provided with information and assistance from support cells in each state and territory office.

# OVERSEAS VOTING – 2022 FEDERAL ELECTION

## Commissioner's summary

<b>Issue</b>	Availability of voting for Australians overseas.
<b>Position</b>	COVID-19 and other international security concerns necessitated a risk assessment of overseas voting for the 2022 federal election. The AEC put additional processes in place to maximise the availability of voting services for Australians overseas.
<b>Points</b>	<ul style="list-style-type: none"> <li>• Australians overseas were able to vote in person at 19 overseas posts.</li> <li>• Australians in other locations were able to vote by postal vote.</li> <li>• All Australians overseas were encouraged to apply for a postal vote in case their in-person location became unavailable at short notice.</li> <li>• The AEC delivered overseas postal votes by courier to improve delivery time and reliability.</li> <li>• Australians were able to mail their completed postal vote to Australian missions which were collected and returned to Australia by diplomatic mail.</li> <li>• Voters were kept informed through the AEC and Smartraveller websites, as well as social media.</li> <li>• The AEC is working with DFAT and Austrade to review our overseas voting for future events with the aim of returning to the level of service provided for the 2019 federal election.</li> </ul>

## Talking points

**Question:** *Why couldn't all Australians overseas access in-person voting services?*

- Due to the pandemic and security concerns in some locations, not all Australian diplomatic missions were able to offer in-person voting services.
- In November 2021, the Department of Foreign Affairs and Trade (DFAT) requested advice from overseas posts on the support they could provide for the 2022 federal election.
- After assessing responses and risk, the AEC in collaboration with DFAT and Austrade determined 19 posts where in-person voting could take place.
- These 19 posts issued 46 per cent of all overseas in-person votes at the 2019 federal election.
- The AEC advised overseas voters on our website of the Australian diplomatic posts where they could vote in person and kept this information up to date throughout the election period.

**Question:** *What about Australians overseas who couldn't access in-person voting services?*

- The AEC and DFAT websites and social media advised all Australians overseas to apply for a postal vote as soon as the election was announced, to give them the maximum amount of time to receive their postal vote packs.
- For the first time, postal votes to overseas addresses were delivered from Australia by courier to improve delivery time and reliability.

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- Australians overseas were able to mail their completed postal votes to Australian missions where they were returned to Australia by diplomatic mail. This process was faster and more reliable than international mail.

## SENATE COUNTING AND ASSURANCE

### Commissioner's summary

<b>Issue</b>	The scanning of Senate ballot papers, capture of preferences and the software used for Senate elections.
<b>Position</b>	After legislative change prior to the 2016 federal election, the AEC determined that the scanning of ballot papers to capture preferences was the only method available to ensure that the Senate scrutinies were completed within required timeframes. The solution significantly reduces the human effort, time and cost of capturing voter preferences in a full manual construct. There are robust controls and validations to ensure the continued integrity of the elections.
<b>Points</b>	<ul style="list-style-type: none"> <li>• Prior to every election the AEC undertakes extensive rigorous testing, security assessments and assurance through internal and external specialists of the software and processes.</li> <li>• At the 2022 federal election more than 108 million preferences from over 15.5 million ballot papers were scanned, data entered, and verified in approximately four weeks after polling day.</li> <li>• To ensure accuracy, all preferences are data entered by at least one human operator and compared to captured (scanned) preferences. All interpretation discrepancies are escalated for further action.</li> <li>• The AEC is has implemented, and complies with, all components of the <i>Electoral Legislation Amendment (Assurance of Senate Counting) Act 2021</i>.</li> <li>• The AEC demonstrates the software used to support the scrutiny for each Senate election is secure through security risk assessments which includes AEC and provider systems.</li> <li>• The AEC engaged an external company to complete the legislated on-site assurance process during the Senate scrutiny (s273AC). This external company oversaw the selection and inspection of ballot papers to demonstrate the preferences have been correctly captured within AEC systems. This process was open to inspection by scrutineers. Nationally, the identified exception rate for the 2022 federal election was 0.45%.</li> <li>• Scrutineers can monitor all processing of Senate ballot papers at Central Senate Scrutiny centres in each state and territory.</li> <li>• The AEC manages all aspects of the Senate count process, including formality, in accordance with the legislation.</li> <li>• Once all preferences from all ballot papers are captured, the AEC uses EasyCount – Senate to run the distribution of preferences for Senate elections in accordance with legislative requirements.</li> <li>• The software enables reporting and auditing of the results.</li> </ul>

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## Talking points

### Accuracy Assurance

**Question:** *What controls are in place to give assurance of accuracy?*

- Every preference captured is entered by human operators and overseen by scrutineers.
- The AEC conducts extensive rigorous testing and assurance processes for both the Senate scanning and Senate count systems before they are accepted for use.
- Testing and assurance is done in conjunction with Australian Signals Directorate and other relevant government agencies.
- There are numerous integrity checks inherent in the system during the scrutiny, including interpretation discrepancy checks between scanned and data entered preferences, defined workflow rules for different ballot paper scenarios, scrutineer challenges, and reconciliation processes.
- A range of IT security measures are in place and systems are subject to extensive security assessments in line with IRAP and Essential 8 criteria.
- An external provider ran an assurance process at the 2022 federal election to demonstrate the preferences on the ballot papers are the preferences that are in the AEC system for that ballot paper.

**Supplementary question:** *What arrangements are in place for scrutineers at the scanning centres?*

- Scrutineers may observe the scanning, verification, and adjudication processes.
- Additional large monitors allow scrutineers to better view ballot paper preferences for more contentious ballot papers.
- Scrutineer challenges may be escalated to the Australian Electoral Officer if they cannot be resolved at the time.
- The scrutineer can request the physical ballot paper to assist in resolving a query.
- The scrutineers are able to observe the on-site assurance process, the results of which have been published on the AEC website.

**Question:** *Is the software used to run Senate elections secure from cyber-attacks?*

- The software used for running Senate elections has undergone multiple independent audits, including an independent assessment as part of the ASD's Information Security Registered Assessor Program (IRAP). There were no issues identified that would affect the integrity of the count.
- In addition, the AEC is supported by the Australian Cyber Security Centre in assessing internal certification and risk mitigation relating to the Senate Scanning solution.
- The AEC continues to work with our partner security agencies to ensure our cyber security arrangements are commensurate with the ever-increasing threat environment.



**Supplementary question:** *What is an IRAP assessment?*

- The Infosec Registered Assessors Program (IRAP) is maintained by the Australian Cyber Security Centre (ACSC), within the Australian Signals Directorate (ASD). The program endorses independent cyber security professionals as "IRAP Assessors", which demonstrates that an assessor is suitably qualified and able to perform cyber security assessments in alignment with Australian Government guidance and frameworks.
- Endorsed IRAP assessors assist in securing systems and data by independently assessing applicable cyber security posture, identifying any security risks and suggesting associated mitigation measures.

**The Distribution of Preferences****Question:** *Does EasyCount – Senate accurately distribute the preferences in accordance with the Commonwealth Electoral Act?*

- Yes, EasyCount – Senate has been rigorously tested and assured through Government best practise IT and security measures.
- AEC publishes the full set of preferences captured from Senate ballot papers during the election and this is available in full after election completion. Multiple people use this data to run the distribution of preferences on their own software and compare their results with AEC's. This has consistently shown the results published by AEC are correct.
- The AEC tested and implemented changes to the count process from legislative change in 2021, which was in use for the 2022 federal election.
- The AEC will implement the new legislative requirement prior to the 2024-25 federal election, for an external assessor to verify the count system distributes preferences and elects candidates in accordance with requirements in the Electoral Act.

**Question:** *Has the AEC purchased software from ScytI? What was the software used for?*

- As part of the response to the significant legislative changes to the Senate voting and counting requirements prior to the 2016 federal election, the AEC worked concurrently with a range of stakeholders on a suitable solution for counting the Senate under the new legislation. One of the vendors engaged was ScytI and ScytI delivered a software count solution to the AEC.
- The AEC has not used ScytI software, nor any component of the software, for any federal election. The updated version of AEC's EasyCount software has been used exclusively for counting for Senate elections.

**Question:** *Will the AEC make the source code of the software used for Senate elections public?*

- The code for EasyCount – Senate base software is used in a commercial capacity to assist the AEC to run Commercial and Industrial Elections. At this stage the AEC has not released the source code.

**Assurance**

- All scanning and data capture is open to scrutineers.
- All distribution of preference data is published after the event on results.aec.gov.au (AEC Tally Room).
- For the 2022 federal election, the AEC conducted extensive testing and assurance of the Senate scanning process, including the data capture and validity of images compared to the physical ballot papers. These processes confirmed the accuracy of the Senate scanning process.
- A ballot paper assurance process was conducted at each Senate counting centre throughout the scrutiny which was observed by scrutineers.

**Formality**

- The AEC follows the legislative framework of the Electoral Act and relevant case law, which defines the formality rules the AEC must implement.

## EASYCOUNT – SENATE

### Commissioner's summary

<b>Issue</b>	EasyCount – Senate.
<b>Position</b>	EasyCount – Senate (ECS) is the software the AEC uses to run, and report on, the distribution of preferences for federal Senate elections.
<b>Points</b>	<ul style="list-style-type: none"> <li>• The AEC uses EasyCount – Senate to run the distribution of preferences for Senate elections in accordance with legislative requirements.</li> <li>• The software is secure.</li> <li>• The software enables reporting and auditing of the results.</li> </ul>

### Talking points

**Question:** Does EasyCount – Senate accurately distribute the preferences in accordance with the Commonwealth Electoral Act?

- Yes, EasyCount – Senate has been rigorously tested and assured through Government best practise IT and security measures.
- AEC publishes the full set of preferences captured from Senate ballot papers after election completion. Multiple people use this data to run the distribution of preferences on their own software and compare their results with AEC's. This has consistently shown the results published by AEC are correct.
- In accordance with new legislation, prior to the next federal election, the AEC will have an external assessor verify that EasyCount – Senate distributes preferences and elects candidates in accordance with the Electoral Act.

**Question:** Has the AEC purchased software from Scytl? What was the software used for?

- As part of the response to the significant legislative changes to the Senate voting and counting requirements prior to the 2016 federal election, the AEC worked concurrently with a range of stakeholders on a suitable solution for counting the Senate under the new legislation. One of the vendors engaged was Scytl and Scytl delivered a software count solution to the AEC.
- The AEC has not used Scytl software, nor any component of the software, for any federal election. The updated version of AEC's EasyCount software has been used exclusively for counting for Senate elections.

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**Question:** *Is the software used to run Senate elections secure from cyber attacks?*

- The software used for running Senate elections has undergone multiple independent audits, including an independent assessment as part of the ASD's Information Security Registered Assessor Program (IRAP). There were no issues identified that would affect the integrity of the count.
- In addition, the AEC is supported by the Australian Cyber Security Centre in assessing internal certification and risk mitigation relating to the AEC systems and applications that support the Senate elections.
- The AEC continues to work with our partner security agencies to ensure our cyber security arrangements are commensurate with the ever-increasing threat environment.

**Question:** *Will the AEC make the source code of the software used for Senate elections public?*

- The code for EasyCount – Senate base software is used in a commercial capacity to assist the AEC to run Commercial and Industrial Elections. At this stage the AEC has not released the source code.



## POLLING PLACE TECHNOLOGY – ECLs

### Commissioner's summary

<b>Issue</b>	The Polling Place Technology MYEFO measure and the benefits it will provide.
<b>Position</b>	This investment will see the number of Electronic Certified Lists significantly increase from 5,500 to 10,000 for the next federal election, as well as the development and implementation of a new digital tool for polling place Officers in Charge. The tool will integrate with the AEC Command Centre and other systems, enhancing polling place connectedness and improving issues resolution.
<b>Points</b>	<ul style="list-style-type: none"> <li>• Polling Place Technology measure announced through MYEFO 2020-21.</li> <li>• \$24.4 million over four years from 2020-21 to increase the use of ECLs.</li> <li>• Over 5,500 ECLs were used at the 2022 election to issue over 5.6 million votes.</li> <li>• The AEC plans to increase this to 10,000 at the next election.</li> </ul>

### Talking points

- This investment will deliver enhanced digital solutions that improve the scalability of the electronic certified list (ECL) to assist voter franchise and voter compliance, as well as user experience and operational effectiveness.
- Polling Place Technology (PPT) is an integral part of delivering efficient polling services and includes:
  - Modern, portable devices
  - An application that interacts with AEC enterprise solutions
  - A secure network
- ECLs are portable devices, being used by issuing officers in all pre-poll voting centres, mobile polling teams, including remote area mobile polling, and selected high volume polling locations on election day.
- ECLs allow polling officials to efficiently search the approved list of eligible voters and electronically record that a person has been handed a ballot paper in accordance with the Commonwealth Electoral Act 1918.
- The AEC deployed over 5,500 devices for the 2022 federal election, using enhanced ECL application capability to address scalability issues, and is planning to deploy approximately 10,000 devices for the 2024/25 federal election.
- The MYEFO measure also includes funding for the development and implementation of a new digital tool for polling place Officers in Charge. The Officers in Charge will be able to connect to AEC systems which will support more efficient and connected polling place management activities and resolution of operational issues.
- This digital polling place management tool will replace paper OIC Returns that are currently in use. Paper Returns do not support real time communication with decision makers or efficient polling place management.

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- The digital tool will be used by 1,300 Officers in Charge at polling places where ECLs are in use for the 2024/25 federal election. Taking this approach will enable the AEC to evaluate operability and sustainability before a decision on a wider rollout is made.
- The expanded use of polling place technology for future events will improve operational capabilities and effectiveness and contribute to the prevention of multiple voting.

## VOTER VERIFICATION

### Commissioner's summary

<b>Issue</b>	The impact of voter verification.
<b>Position</b>	Voter verification is entirely a matter for the Parliament.
<b>Points</b>	<ul style="list-style-type: none"> <li>• Identification is required when enrolling to vote.</li> <li>• Under the Electoral Act, voter verification when casting a vote is not required. Any introduction of this would require legislative change.</li> <li>• Introducing voter verification would have an impact on the efficiency of vote issuing and counting. It may also impact voter enfranchisement.</li> <li>• A previous JSCEM report has recommended the Electoral Act be amended to require voters to present a form of acceptable identification to be issued with an ordinary pre-poll or election day vote.</li> <li>• We are aware of previous bills that proposed changes to the Electoral Act to include voter identification provisions. From the 46th Parliament: <ul style="list-style-type: none"> <li>◦ Commonwealth Electoral Amendment (Integrity of Elections) Bill 2021 [Malcolm Roberts]</li> <li>◦ Electoral Legislation Amendment (Voter Integrity) Bill 2021 [Ben Morton]</li> </ul> </li> <li>• Any consideration of proposed legislative amendments is a matter for the Parliament.</li> </ul>

### Talking points

**Question:** What would be the operational and other impacts of introducing voter verification?

- Impacts could include:
  - increased time to issue votes, including queue times
  - increased costs of technology, materials, training and staff
  - higher number of declaration votes, which are more time-consuming to process and count resulting in less votes able to be counted on election night
  - a large communication and education campaign required
  - significant changes to business processes and training.
- Careful design and management would be required to ensure that groups of eligible voters are not disenfranchised.
- Legislative change would be required to enforce voter verification processes and to provide clarity of requirements for the AEC, voters and other stakeholders.
- The introduction of voter verification does not eliminate the possibility of administrative errors resulting in multiple marks, or electors attempting to vote more than once.

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Released under the Freedom of Information Act 1982



Released under the Freedom of Information Act 1982

## Candidate qualification checklist

### Commissioner's summary

<b>Issue</b>	The requirements to review and publish qualification checklists and supporting documents at the 2022 federal election. The eligibility of electoral candidates under section 44 of the Constitution.
<b>Position</b>	<p>The AEC is required to check that all mandatory questions on the qualification checklist are answered. It does not determine the accuracy of the answers or the potential impact on a candidate's eligibility. The eligibility of a person to be chosen as a Senator or member of the House of Representatives under the Constitution is a matter for the High Court sitting as the Court of Disputed Returns.</p> <p>The mandatory qualification checklist was in place for all candidates seeking to nominate for the 2022 federal election. <b>1,624 checklists</b> totalling <b>17,117 pages</b> were published.</p>
<b>Points</b>	<ul style="list-style-type: none"> <li>The AEC was not required to check the accuracy of the information provided on the checklist, nor determine whether it impacted on eligibility.</li> <li>The checklist is a self-assessment tool which puts the onus on candidates to satisfy themselves, and the Australian people, that they are eligible to be elected under section 44 of the Constitution. It contains a mix of mandatory and voluntary questions.</li> <li>The wording of the questions in the checklist is dictated by the legislation.</li> <li>The Electoral Act requires the Electoral Commissioner to publish the qualification checklist and any additional documents provided by a candidate as soon as practicable after nominations for an election are declared.</li> <li>At the 2022 federal election, declaration of nominations occurred on 22 April 2022.</li> <li>The AEC published qualification checklists and any supporting documents for all 1,624 candidates on our website on 25 April 2022 and they were removed on 2 August 2022 and copies of the qualification checklists for elected candidates provided to parliament.</li> <li><b>Future publishing:</b> The AEC will publish qualification checklists as soon as practicable following the declaration of nominations but cannot put a timeframe on this due to the rigorous quality assurance processes to be undertaken first.</li> </ul>

### Statistics

Number of checklists published 2022 FE	<b>1,624</b>
Pages published 2022 FE	<b>17,117</b>

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## Talking points

**Question:** *Why doesn't the AEC check the eligibility of candidates to stand for election?*

- The qualification checklist puts the onus on candidates to satisfy themselves, and the Australian people, that they are eligible to be elected under section 44 of the Constitution.
- The AEC has no legal authority to check the eligibility of candidates.
- The Electoral Act only requires and permits the AEC to check that all mandatory questions on the checklist have been answered, and that additional documents have been provided if necessary.

# COMMONWEALTH PROCUREMENT RULES – ENVIRONMENTAL SUSTAINABILITY

## Commissioner's summary

<b>Issue</b>	Recent amendment to the Commonwealth Procurement Rules have now included an explicit requirement to include climate change impacts in relevant financial and non-financial considerations when making a value for money assessment.
<b>Position</b>	<p>The AEC procures goods and services consistent with the Public Governance Performance and Accountability Act and Commonwealth Procurement Rules.</p> <p>The AEC applies these rules through its accountable authority instructions, supporting operational guidelines, and by developing procurement skills and processes to improve efficiency and value-for-money outcomes.</p>
<b>Points</b>	<ul style="list-style-type: none"> <li>Assessment of Environmental considerations in determining value for money already exists. However, they have now been amended to include specific reference to climate change impacts.</li> <li>The AEC maintains contemporary knowledge of, and applies, Commonwealth Policy regarding Procurement activities. This includes assessment of environmental sustainability of the proposed goods and services as applicable to each procurement.</li> <li>Specifically addressing climate change within AEC procurement activities may require a more coordinated policy led approach to maintain a simple yet effective method of applying and measuring.</li> </ul>

## Talking points

**Question:** Can outline how you meet these requirements within your procurement framework?

The AEC procures goods and services in accordance with the Commonwealth Resource Framework.

The AEC has centralised expertise to manage its procurement and contracting framework, including panel arrangements. Tenders are evaluated for:

- value for money;
- energy and consumption demand;
- unnecessary consumption;
- end-of-life disposal arrangements.

The value for money assessment includes climate changes impacts as a result of the changes made to the CPRs effective 1 July 2022.

<b>Branch</b>	Delivery and Support Branch	<b>Updated</b>	23/01/2022
<b>Contact</b>	Natasha Scandrett, A/g Assistant Commissioner	<b>Printed</b>	23/01/2023 9:05 AM

**Question:** *Can you nominate some of the practicable ways you have lowered the environmental impacts of your procurements and contracts?*

Each activity has its own unique requirements. **For example:**

- Evaluating suppliers' environmental credentials during tenders;
- Use of recycled content for cardboard polling equipment;
- Leveraging the WoAG arrangement for office supplies which strengthens the Commonwealth's overall position to effect supplier behaviour;
- Application of the Australian Packaging Covenant;
- Recycling or donating end of life products rather than send to landfill  
(the AEC is currently holding donations following FE2022 while planning for a referendum is underway)

**Question:** *Can you advise how the AEC might specifically consider climate change impacts in future procurement activities?*

Specifically addressing climate change within AEC procurement activities may require a more coordinated and policy led approach at the Commonwealth level. The AEC has engaged with the APS Net Zero Unit at the Department of Finance to ensure the AEC's approach is consistent with whole of government future direction on managing environmental impacts.

For example, it is difficult to identify the specific impact that supplying pencils for the use of voters has on climate change in a way that does not have a significant administrative impact on suppliers.

The AEC will have to review its current practices to see if we can identify a simple yet effective method of applying and measuring climate change impacts. Importantly this must balance Commonwealth policy as well as impacts to potential suppliers, which range from very small to large suppliers.

Additionally, elections have to be undertaken in a particular way under the requirements of the Commonwealth Electoral Act which tend to be more resource intensive (i.e. voting in person).

## COWPER COUNT – 2022 FEDERAL ELECTION

### Commissioner's summary

<b>Issue</b>	Variance in House of Representatives results for Pauline Hanson's One Nation (PHON) candidate Faye Aspiotis in the Port Macquarie West Cowper PPVC for the 2022 federal election.
<b>Position</b>	We are aware in the counting centre in Cowper, some House of Representatives ballot papers were combined across different pre-poll voting centre counts on polling night. This did not impact overall results for any candidates in the division.
<b>Points</b>	<ul style="list-style-type: none"> <li>• PHON Secretary Damian Huxham wrote to the AEC on 5 September 2022 seeking an explanation of the variance of One Nation's House of Representatives results between the Port Macquarie West Cowper PPVC and the Port Macquarie West polling place.</li> <li>• The AEC responded that variances in candidate results between polling locations are common, however we are aware of an issue in the Cowper counting centre where some House of Representatives ballot papers were combined across different pre-poll voting centre counts on polling night, which may have contributed.</li> <li>• This administrative error has no impact on the results of the election for the division as all votes were counted, but results were reported against different polling places.</li> <li>• An investigation at the time established that all ballot papers could be accounted for. A re-examination of the data shows the same outcome.</li> </ul>

### Background

<b>Branch</b>	Delivery and Support	<b>Updated</b>	17/01/2023
<b>Contact</b>	Natasha Scandrett, Assistant Commissioner	<b>Printed</b>	23/01/2023 9:05 AM

## Call Centre worker recordings – Senate ATL/Dickson

### Commissioner's summary

<b>Issue</b>	Election call centre workers were allegedly providing false voting information to electors regarding electoral processes (Senate ballot paper ATL / Dickson).
<b>Position</b>	The AEC employs 105,000 temporary staff, many for a single day, who provide guidance to voters. A small number of individual accounts are not a representative of instructions provided across an operation of more than 8,000 voting venues and millions of individual interactions, including hundreds of thousands of public enquiries.  During the election, the AEC became aware of video posts on social media, depicting alleged recordings of call centre staff providing information about electoral processes.
<b>Points</b>	<ul style="list-style-type: none"> <li>• The AEC is unable to verify the authenticity of allegations without revisiting hundreds of thousands of public enquiries.</li> <li>• The structure of the Senate ballot paper is determined by the <i>Commonwealth Electoral Act 1918</i>.</li> <li>• Under the Act, candidates who are not endorsed by a political party, but have chosen to be grouped on the ballot, are entitled to a box above the line. However, they are <u>not</u> entitled to have any name or logo placed against their box.</li> <li>• Mr Dickson lodged a submission (Submission 279) with JSCem in relation to this matter and the AEC provided a response to the Chair of JSCem in November 2022</li> </ul>

### Talking points

**Question:** Did AEC election call centre workers providing false voting information to electors regarding the Senate ballot paper?

- The AEC employs 105,000 temporary staff in an election, who provide guidance to voters.
- A small number of individual accounts are not a representative of instructions provided across an operation of more than 8,000 voting venues and millions of individual interactions, including hundreds of thousands of public enquiries.
- The AEC is unable to verify this claim without revisiting hundreds of thousands of public enquiries.
- Call centre staff are trained and required to complete an assessment to confirm their level of understanding of training content. Training is a mix of face to face and online.
- Call centre scripts are used by staff to ensure they are providing accurate information to the public. They are also supported by the first-tier escalation team. If the escalation team are unable to resolve the enquiry, it gets escalated to more senior AEC staff.

<b>Branch</b>	Service Delivery Group	<b>Updated</b>	18/01/2023
<b>Contact</b>	Kath Gleeson, A/g First Assistant Commissioner	<b>Printed</b>	25/01/2023 11:07 AM

**Question:** *What action did the AEC take in response to seeing videos on social media depicting alleged recordings of call centre staff?*

- The AEC does not have verified evidence to suggest that call centre staff provided false voting information to electors regarding electoral processes.
- The AEC is unable to verify this claim without revisiting hundreds of thousands of public enquiries.
- The AEC ensured there was a specific script and messaging on the issue, ensuring all call centre staff were aware that un-named boxes above-the-line on the Senate ballot paper can be numbered by voters just like any other box.
- A small number of individual accounts are not representative of instructions provided across an operation 8000 voting venues and millions of individual interactions, including hundreds of thousands of public enquiries.
- The AEC consulted the relevant police jurisdictions regarding potential avenues for further investigation or referral.

**Question:** *Why is there a blank column on the Senate Ballot Paper, is this considered discriminatory toward independent candidates?*

- The *Commonwealth Electoral Act 1918* determines the structure of the Senate ballot paper.
- Under the *Commonwealth Electoral Act 1918*, candidates who are not endorsed by a political party, but have chosen to be grouped on the ballot, are entitled to a box above the line. However, they are not entitled to have any name or logo placed against their box.
- If candidates or electors take issue with the structure of the Senate ballot paper, that is a matter for Parliament.



## Referendums: YES/NO pamphlet and information campaigns

### Commissioner's summary

<b>Issue</b>	AEC public information campaign for a potential referendum.
<b>Position</b>	The AEC would conduct a national integrated multi-channel information campaign to support voter participation in a referendum. There is evidence to support an earlier educative phase to explain the purpose and process of referendums.
<b>Points</b>	<p><b><u>Information campaign</u></b></p> <ul style="list-style-type: none"> <li>• The goal of the campaign would be to increase enrolment, voter turnout and formal voting, and to support a high integrity event.</li> <li>• Recent market research strongly supports the need for an early education phase to correct misconceptions and create awareness of referendums.</li> </ul> <p><b><u>YES/NO pamphlet</u></b></p> <ul style="list-style-type: none"> <li>• Latest media coverage indicates Government direction given for an 'education pamphlet' to be mailed out by the AEC in the lead-up to the referendum</li> <li>• This is in response to the debate on the current legislation before Parliament to amend the <i>Referendum (Machinery Provisions) Act 1984</i> (Referendum Act). This proposed legislation was for the requirement for the AEC to distribute the yes/no case booklet (2,000 words per case) to all enrolled addresses to be suspended.</li> <li>• Since Federation, 19 referendums have been held, proposing 44 changes. On 13 occasions (totalling 34 referendum proposals), YES/NO booklets were produced. On six occasions (concerning 10 of the proposals), no pamphlet was provided. For two of the 44 questions, only a YES case was provided to voters (without a NO case) due to bi-partisan support in the Parliament.</li> </ul>

<b>Branch</b>	Electoral Integrity and Communications	<b>Updated</b>	08/02/2023
<b>Contact</b>	Matt Haigh, Assistant Commissioner	<b>Printed</b>	9/02/2023



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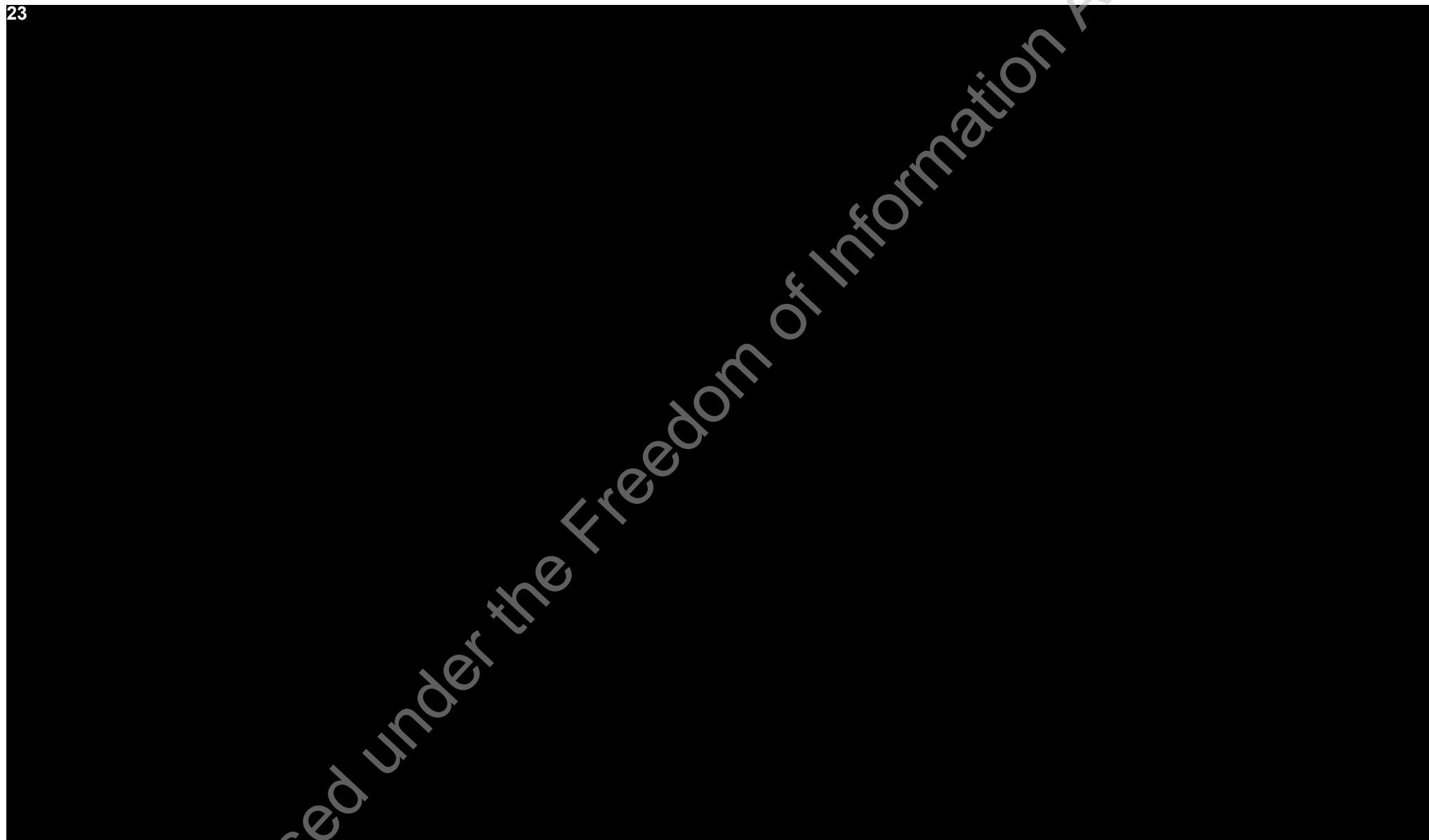
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## ELECTION TIME PUBLIC INFORMATION CAMPAIGN

### Commissioner's summary

<b>Issue</b>	Federal election participation information campaign.
<b>Position</b>	The AEC conducted a large-scale communication campaign at the 2022 federal election to inform and encourage Australian voters to effectively participate.
<b>Points</b>	<ul style="list-style-type: none"> <li>• The AEC's 2022 election campaign was run to help voters to effectively participate and to support electoral integrity.</li> <li>• Targeted at all eligible voters (all Australian citizens 18 years and over), it included specific and translated information to reach voters from culturally and linguistically diverse (CALD) backgrounds, voters with a disability and First Nations voters.</li> <li>• The campaign ran over three phases from Sunday 10 April (election announcement) to Saturday 21 May (election day).</li> <li>• The three participation phases were: i) close of rolls (encouraging people to enrol before the deadline); ii) voter services (early voting options); and iii) formality (how to complete your ballot papers correctly).</li> <li>• This was supported by <i>Stop and Consider</i> (disinformation) messaging throughout the election period, and COVID-19 safety measures information.</li> <li>• It was a multi-channel campaign using advertising, social media, website, community and media outreach, polling place products and household delivery of an official guide. The campaign included partnerships with NITV, Snapchat and SBS.</li> <li>• Over 1,000+ advertisements across TV, radio, press, cinema, out of home, digital and social media.</li> <li>• Advertising translated into 52 languages (32 CALD and 20 First Nations).</li> <li>• The media placement spend for the 2022 federal election was \$19 million (GST inclusive).</li> <li>• The campaign performed well and achieved reach and frequency of its messaging among the target audience.</li> <li>• The AEC implements an internal certification process on its advertising campaign, which is externally published on campaign launch. It has a long-standing exemption from the review and approval processes of government advertising campaigns.</li> </ul>

<b>Branch</b>	Electoral Integrity and Communications	<b>Updated</b>	16/01/2023
<b>Contact</b>	Matt Haigh, Assistant Commissioner	<b>Printed</b>	24/01/2023 8:57 AM



## Talking points

**Question:** *What did the AEC do to inform voters of the COVID-19 safety measures at the 2022 election?*

- The AEC provided information on the range of COVID-19 safety measures as a key part of the campaign.
- This included specific advertising, and messaging across other channels such as the official guide delivered to all households, social media and detailed information on the AEC website.

**Question:** *How did the AEC's election-time campaign promote early voting?*

- Given the compulsory nature of voting, the campaign provided voters with information on how they can participate if they cannot vote on election day.
- This information was prefaced by messages regarding eligibility for early voting, indicating that early voting is available for people who are unable to make it to a polling place on election day.



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## GILMORE COUNT

### Commissioner's summary

<b>Issue</b>	Count for the division of Gilmore at the 2022 federal election.
<b>Position</b>	Recount requests made by the Liberal Party candidate were considered and not granted in accordance with the Electoral Act and AEC policy.
<b>Points</b>	<ul style="list-style-type: none"> <li>Section 279 of the Act provides that a candidate can request a recount of ballot papers at any time before the declaration of the result of a House of Representatives election.</li> <li>The AEC was satisfied that the scrutiny process was properly conducted and that scrutineers had the opportunity to observe all relevant steps of the scrutiny process as required under the Electoral Act.</li> <li>Fiona Phillips was declared elected as Member of the House of Representatives for the Division of Gilmore with a margin of 373 votes following distribution of preferences.</li> </ul>

### Talking points

**Question:** *When does a recount of House of Representatives ballot papers occur?*

- Section 279 of the Electoral Act makes provision for the recount of House of Representatives ballot papers.
- A candidate may make a request for a recount. The candidate must set out reasons for request.
- The Divisional Returning Officer (DRO), Australian Electoral Officer (AEO), or the Electoral Commissioner (EC) may determine that a recount is to occur.
- As a matter of procedure, an automatic recount will occur if the margin between the two leading candidates, after distribution of preferences, is less than 100 votes.

**Question:** *Was a request for a recount received for the Division of Gilmore? If so what was the outcome?*

- A request for a recount for the Division of Gilmore was made by the Liberal Party candidate, Mr Andrew Constance to the DRO for Gilmore.
- The request was considered and decision made to deny the request in accordance with s279 of the Electoral Act by the DRO.
- A further request was made to the EC which was also considered and denied, based on the conclusion that the scrutiny process for the election for the Division of Gilmore was properly conducted in accordance with the Electoral Act.

<b>Branch</b>	NSW State Office	<b>Updated</b>	18/10/2022 (Remains correct at 19/01/2023)
<b>Contact</b>	Rebecca Main, State Manager and AEO NSW	<b>Printed</b>	23/01/2023 7:50 AM

**Question:** *What is the process for considering a candidate's request for a recount?*

- Section 279 of the Electoral Act makes provision for the recount of House of Representatives ballot papers including that a candidate can make a request for a recount to the DRO at any time before the declaration of the result.
- The AEC's *House of Representatives Recount Policy* and standard operating procedure provides guidance to staff on the management and evaluation of recount requests made in accordance with s279.
- Information regarding recounts including how to make a request and guidelines on how a request will be evaluated is also provided to candidates in the *Candidates Handbook*.

**Question:** *What issues were raised by the candidate in the request for a recount? What was the AEC's response to these issues?*

- The reasons provided in the request for recount included that scrutineers had not had the opportunity to inspect and challenge votes which had been declared as informal and that votes declared as informal should again be reviewed for formality.
- In declining the request for a recount, the DRO was satisfied that there were no errors or irregularities that may have materially affected the election result and noting the margin of 373 votes, concluded that there was not sufficient reasons to support that a recount might change the result.
- Furthermore, the DRO was satisfied that the scrutiny process was properly conducted and that scrutineers had the opportunity to observe all relevant steps of the scrutiny process as required under the Electoral Act.

**Question:** *Was a request made to the Court of Disputed Returns?*

- There was no request to the Court of Disputed Returns for a review in the division of Gilmore or any other division nationally.

**Attachments:**

- Recount request from candidate to Electoral Commissioner – 13 June 2022
- Response letter from Electoral Commissioner – 15 June 2022

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## 2GB DISCARDED BALLOT PAPERS FOUND – PORT MACQUARIE

### Commissioner's summary

<b>Issue</b>	2GB Ben Fordham Breakfast Show aired/published a story on 22 June 2022 suggesting a listener had found completed ballot papers in a bin in Port Macquarie.
<b>Position</b>	The AEC upholds electoral integrity and public trust in electoral processes and has strong ballot paper handling policies that all staff are trained to adhere to.
<b>Points</b>	<ul style="list-style-type: none"> <li>• The AEC's investigation into the discarded ballot papers is ongoing.</li> <li>• At this stage the finding is that the completed ballot papers are likely to have been discarded declaration ballot papers (that is, an out-of-area voter should have returned their completed ballot paper to be placed inside a completed declaration envelope, but in these instances, they have likely not been returned as per the instruction).</li> <li>• Initial indications are that the ballot papers are likely informal, and due to the small number, there is no impact on the result of any electoral division.</li> <li>• There is no evidence regarding their origin that points to an operational issue impacting the election.</li> </ul>

### Talking points

**Question:** *Why were completed ballot papers found in a bin in Port Macquarie?*

- The AEC's investigation into the discarded ballot papers is ongoing and a report will be written once finalised.
- At this stage the finding is that the completed ballot papers are likely to have been discarded declaration ballot papers (that is, an out-of-area voter should have returned their completed ballot paper to be placed inside a completed declaration envelope, but in these instances they have likely not been returned as per the instruction).
- Ballot papers in the AEC's possession (prior to issuing to a voter in-person or via post, or after receipt of completed ballots from a voter) are tracked from point to point with a range of security measures in place.
- Ballot papers in a voter's possession (e.g. when voting via post or in-person) are the responsibility of the voter themselves to return to the AEC in the required timeframe in order to be counted.

<b>Branch</b>	New South Wales	<b>Updated</b>	31/10/2022 (Remains correct at 19/01/2023)
<b>Contact</b>	Rebecca Main, AEO NSW	<b>Printed</b>	23/01/2023 7:56 AM



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## **REDACTION CODES**

- 1 Personal Information (name) redacted.
- 2 Personal Information (date of birth) redacted.
- 3 Personal Information (photograph) redacted
- 4 Personal Information (facsimile of signature) redacted.
- 5 Personal Information (facsimile of manuscript initialling) redacted.
- 6 Personal Information (Individual's address) redacted.
- 7 Personal Information (individual's telephone number) redacted.
- 8 Personal Information (individual's opinion) redacted.
- 9 Personal Information (opinion about individual) redacted.
- 10 Personal Information (employment history) redacted.
- 11 Personal Information (qualifications) redacted.
- 12 Personal Information (health) redacted.
- 13 Personal Information (identifying individual) redacted.
- 14 Business information (Bank Account details) redacted.
- 15 Business information (Billing Account details) redacted.
- 16 Business information (internal operations) redacted.
- 17 Legal Professional Communication redacted.
- 18 Deliberative material redacted.
- 19 Irrelevant material redacted.
- 20 Electoral Roll material redacted.
- 21 Tests, examinations or audits material redacted.
- 22 Management or assessment of personnel material redacted.
- 23 Proper and efficient conduct of the operations of AEC material redacted.
- 24 Lawful methods or procedures for preventing, detecting, investigating, or dealing with matters arising out of, breaches or evasions of the law.
- 25 Trade Secrets.
- 26 Commercial valuable information.
- 27 Financial interests of the Commonwealth.
- 28 Property interests of the Commonwealth.