

Country: Australia

Theme: Enhancement of Participation by Special Categories of Voters

Sub Theme: Defence Personnel

Title of The Best Practice / Case Study: Voting services provided to Australian citizens overseas and Defence personnel

Area of Coverage: Outside Australia

Period of implementation: Every federal election

Background: In Australia, it is compulsory for electors residing in Australia to vote. If an elector fails to vote without a valid and sufficient reason, a \$20 penalty must be paid. However, electors who are outside of Australia at the time of the election do not have to vote and are not penalised if they do not vote. Despite this, it is important that Australian citizens travelling or residing overseas, and defence force personnel serving overseas, are provided with the every opportunity to vote at a federal election. The AEC provides a range of services to enable this to occur.

Brief Description of Best Practice: Voting in Australia for federal elections is compulsory for all Australian citizens. Subsection 245 (1) of the Commonwealth Electoral Act 1918 (Electoral Act) provides that, it shall be the duty of every elector to vote at each election. An elector will be guilty of an offence under s. 245 of the Electoral Act if they fail to vote at the election without a valid and sufficient reason. Australians who will be temporarily absent from Australia, such as on an overseas holiday and are unable to vote while overseas, can complete an overseas notification form which informs the AEC of their exit from Australia and anticipated return date back into Australia. Completing this form notifies the AEC that they wish to remain on the electoral roll, but notes that they were overseas during an election and unable to vote. This is considered a valid and sufficient reason for not voting. Australians living or working overseas who are enrolled to vote and intend to return to Australia within six years can register as an overseas elector. Overseas electors automatically receive a postal vote in the mail at their overseas address when a federal election is announced and in some cases for by-elections and referenda as well. Registered overseas electors who do not vote may claim that being overseas is a valid and sufficient reason for not voting. Australians living or working overseas who are not enrolled to vote can enrol if they have been overseas for less than three years and intend to return to Australia within six years. They cannot enrol at an overseas address, but rather where they were entitled to vote before they left Australia. AEC OVERSEAS VOTING SERVICES
Australians who are overseas when a federal election occurs can vote: - using a postal vote, or - in-person at an Australian Embassy, Consulate or High Commission designated as an overseas voting centre for a particular electoral event. At the 2016 federal election, the AEC established 95 overseas voting centres at Australian Embassies, Consulates and High

Commissions run by the Australian Department of Foreign Affairs and Trade (DFAT) and the Australian Trade Commission (Austrade). There were approximately 71 000 votes cast at overseas voting centres. The DFAT and Austrade operate overseas voting centres on behalf of the AEC through Assistant Returning Officers appointed by the AEC. The AEC provides procedures manuals and training for overseas AROs and polling centre support staff, and manages the delivery of election materials and ballot papers. During the election, the AEC operates a dedicated overseas voting help desk which is available 24/7 to electoral staff at overseas posts. The AEC also deploys AEC officers to the largest and second largest overseas voting posts (London and Hong Kong) to provide additional training and support. DEFENCE PERSONNEL OVERSEAS At the recent 2016 federal election, the AEC facilitated postal voting for Australian Defence Force (ADF) electors deployed overseas. The AEC encourages ADF electors who are going to be deployed overseas to register as General Postal Voters (GPVs). When an election occurs, those electors registered as GPVs will automatically receive a postal vote. ADF electors who are not registered as GPVs can apply online to receive a postal vote when an election is announced. The AEC works with the ADF to ensure that postal votes returned to Australia are on-forwarded to the elector's relevant division or state for counting. At previous electoral events, the AEC has provided a mobile polling service to ADF electors overseas. However due to a revised interpretation of the applicable legislation, the AEC is now unable to provide these services. In 2007, the AEC trialled an electronic voting system using a computer terminal and the Department of "Defence secure Defence Restricted Network". On the recommendation of a parliamentary committee, the system was not used again due to the high average cost of each vote.

Challenges : With the rise of email and a reduction in service levels of postal systems, the AEC faces the increasing challenge in ensuring that postal votes are received by voters and are returned to Australia in time to be included in the election count. In the case of overseas polling centres, freight and logistics challenges can mean that ballot papers do not always arrive at the voting centres in time for them to offer the preferred two-week pre-poll voting period. The AEC has also observed that some Australian citizens resident overseas do not fully understand the requirements of voting overseas.

Outcome: The AEC seeks to provide voting services to enable all eligible Australians overseas to vote if they choose to, but will consider their absents from Australia as a valid and sufficient reason for not voting.