

# Campaign material

## Legislative Assembly

*Disclaimer: This factsheet is a general overview provided by the Northern Territory Electoral Commission (NTEC) and should not substitute legal advice. Unless specified otherwise, all references are to the Electoral Act 2004, effective from 1 July 2021. Please consult the legislation and seek independent legal advice as necessary.*

### Overview

Laws are in place to regulate campaign material to protect the integrity of elections. This factsheet relates to any person or entity intending to print, publish, distribute or broadcast campaign material.

### Definition of campaign material

Campaign material is defined as an advertisement, document or any other thing that is intended to promote the electoral prospect of a particular candidate or group of candidates for an election, including (but not limited to):<sup>1</sup>

- an electoral advertisement
- a printed document containing electoral matter (for example, a handbill, pamphlet or how-to-vote card)
- a message containing an electoral matter sent by telephone or broadcast by electronic means
- published materials containing electoral matter
- car stickers or decals.

An electoral matter is a matter that is intended or likely to affect voting at an election.<sup>2</sup>

### What are the requirements for campaign material

Campaign material must:

1. be authorised
2. not be misleading or deceptive
3. have the approval of the candidate
4. be placed in compliance with relevant rules
5. not be broadcast during the blackout period.

### 1. Authorisation

Campaign material must be authorised, see the *Authorisation of campaign material factsheet* for further information and exceptions.

### 2. Misleading or deceptive

Campaign material must not be published or distributed if it is likely to:<sup>3</sup>

- mislead a voter, or
- deceive a voter, or
- improperly interfere with a voter casting a vote, or
- contain an untrue or incorrect statement.

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<sup>1</sup> See section 268A

<sup>2</sup> See section 7

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<sup>3</sup> See section 270(3)



To be considered misleading, deceptive or containing an untrue or incorrect statement, information must concern the **administration or delivery of an electoral event or process that the NTEC is responsible for under the *Electoral Act 2004***.

The NTEC has no role in enforcing truth in political advertising in the NT. It is the responsibility of Territorians to assess the truth of statements that are made by electoral participants before they cast their vote at an election.

### 3. Approval of the candidate

A person on behalf of an entity must not publish, or authorise to be published, a statement that expressly or impliedly:<sup>4</sup>

- claims a candidate is associated with or supports the policy or activities of the entity, or
- advocates a candidate should be given first preference.

Unless the candidate gives written authority to publish the statement.<sup>5</sup>

Political parties do not need to seek authority to make statements about their endorsed candidates.<sup>6</sup>

### 4. Placement of campaign material

#### At a voting centre during the voting period

Every voting centre will have a prohibited zone where campaigning material cannot be displayed during voting hours.<sup>7</sup> This will include that no campaign material can be displayed in shopping centres that contain voting centres during voting hours. Voting hours differ based on the voting centre, for example some early voting centres for the 2024 Territory Election are open from 12 August 2024 to 24 August 2024. The NTEC enforces the placement of campaign material around voting centres.

#### All other placement of campaign material

Outside of voting hours, local councils and the Department of Infrastructure, Planning and Logistics have rules in place for campaign material, including, but not limited to the regulation of:

- location
- size
- when signage can be displayed and when signs must be removed.

If you wish to place signs on private property, check with the local council, as there may be rules you must abide by. Before placing campaign material on private property, permission must be sought from the building and/or property owners. The placement of signs in shopping centres is at the discretion of shopping centre management (noting they must be removed during the voting period if the shopping centre contains a voting centre).

Consult your local council and relevant government departments for the most up-to-date information.

*Department of Infrastructure, Planning and Logistics (DIPL)*

- [Election signage policy](#)
- [Mobile roadside booths policy](#)

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<sup>4</sup> See section 278

<sup>5</sup> See section 278(2)

<sup>6</sup> See section 278(4)

<sup>7</sup> See sections 275, 277

## Councils

- [City of Darwin](#)
- [City of Palmerston](#)
- [Litchfield Council](#)
- [Katherine Town Council](#)
- [Alice Springs Town Council](#)

No campaign material can be placed on *Power and Water* assets.

## 5. Blackout period

Broadcasting and televising of election advertisements are prohibited from midnight on Wednesday before election day until 6pm on election day. For the 2024 Territory Election the blackout period is from midnight on Wednesday 21 August until 6pm on Saturday 24 August.

## How to make a complaint about campaign material

Any person who wishes to report potential non-compliance (including self-reporting) should contact the relevant authority, including:

Issue	Contact
<ul style="list-style-type: none"><li>• Authorisation of campaign material</li><li>• Misleading or deceptive advertising</li><li>• Unapproved candidate advertising</li><li>• Placement of signs at voting centres</li></ul>	NTEC <a href="mailto:ntec@nt.gov.au">ntec@nt.gov.au</a> 1800 698 683
Placement of signs other than at voting centres	<ul style="list-style-type: none"><li>• <i>Street verges or public property</i>: the relevant local council</li><li>• <i>Territory controlled roads</i>: – Department of Infrastructure, Planning and Logistics</li><li>• <i>Shopping Centres</i>: shopping centre management</li></ul>
Stolen signs	NT Police
Anti-democratic conduct	Independent Commissioner Against Corruption (ICAC) - Northern Territory <a href="https://icac.nt.gov.au/">https://icac.nt.gov.au/</a>
Complaints about online abuse or bullying	eSafety Commissioner <a href="https://www.esafety.gov.au/">https://www.esafety.gov.au/</a>

Electoral participants may also be subject to laws enforced by other government agencies.

The NTEC applies a constructive compliance approach to its regulatory activities, providing electoral participants with resources and information to support compliance with their obligations.

Where education does not address non-compliance or where the NTEC believes an offence has been committed, the NTEC can undertake a range of actions to ensure and enforce compliance.

Version	Date	Author	Changes made
2.0	12 June 2024	Chris Brack, Financial Disclosure and Compliance Manager	Updated for 2024 Territory Election