

# Misinformation and Disinformation Register

## Guidelines



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# 1. Introduction

The Northern Territory Electoral Commission (NTEC) is an independent government agency responsible for conducting elections in the Northern Territory including Legislative Assembly elections, local government elections and fee-for-service elections. The *Electoral Act 2004* sets out the functions and operations of the NTEC. The *Local Government Act 2019* and Local Government (Electoral) Regulations 2021 includes electoral provisions relating to the conduct of local government elections. The NTEC understands electoral processes, the electoral system and will actively correct misinformation and disinformation.

The Misinformation and Disinformation Register (the Register) exists to publicly highlight misinformation and disinformation that is widespread, persistent, or harmful concerning the conduct of Legislative Assembly and local government electoral events. The Register is maintained by the NTEC and assists in publically correcting misinformation and disinformation.

These guidelines provide information on the actions and processes administered when managing the Register during and after electoral events within the NT.

## 2. Purpose

This document has been developed to provide clear guidelines and information regarding the management of misinformation and disinformation during electoral events. The guidelines ensure that the NTEC adheres to its responsibility to provide reliable information that is publicly available regarding the NT electoral process. They reflect the requirements of the *Electoral Act 2004*, Electoral Regulations 2004, the *Local Government Act 2019* and Local Government (Electoral) Regulations 2021.

In accordance with the relevant legislation, the NTEC can investigate the lawfulness of misinformation and disinformation regarding electoral communications and will take enforcement action where breaches have occurred.

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 political parties and candidates before they cast their vote at an election.

## 3. Definitions

Term	Definition
Authorised officers	An officer authorised by the Electoral Commissioner for the provision in which the expression occurs.
Disinformation	The intentional creation and spread of entirely or partially false and/or manipulated information with the intention of deceiving and misleading audiences. The primary purpose is to cause strategic, political, economic, social, or personal harm or to achieve financial and commercial gain.
Electoral process	All aspects of the election process and all election technologies including, but not limited to, voter enrolment, nomination of candidates, campaigning, voting, scrutiny and counting of votes, announcement of results and return of the writ, and processing of complaints and disputes (if any).
Misinformation	The unintentional creation and spread of wholly or partially false information, typically due to error or mistake. While such information has



Term	Definition
	the potential to mislead or deceive, it is not generated or transmitted with the intention of causing harm.
NT Electoral Commission	The NT Electoral Commission is an independent government agency responsible for the impartial conduct of Northern Territory Legislative Assembly and local government elections.
NT Electoral Commissioner	The Electoral Commissioner oversees the conduct of all Legislative Assembly and local government elections.

## 4. Scope

These guidelines apply to the Electoral Commissioner and authorised officers within the NTEC. They support the NTEC in the review and management of the Register in accordance with Part 14 of the *Electoral Act 2004* under Division 1 of s309 (g).

To maintain independence and trust in its integrity, the Register focuses on the electoral process only. The requirements for entries on the Register ensures that the tool does not affect political debate or interfere with the NTEC's duty to impartially conduct elections.

## 5. Guidelines

### 5.1. Structure of the Register

The Register consists of lists with prominent pieces of misinformation and disinformation the NTEC has discovered or has been advised of regarding the electoral process. It is a web-based resource that assists in delivering information that supports the administration and delivery of electoral events with integrity. The Register assists the NTEC to promote ongoing public trust in NT elections.

Each entry to the Register will contain the following elements:

- **Misinformation:** a summary of the misinformation identified
- **Disinformation:** a summary of the disinformation identified
- **Correct information:** a summary of the relevant correct information
- **NTEC's action:** a summary of the action taken to counter the false claim, including relevant links.
- **Date detected:** the month and year in which the false claim was detected
- **Source:** where the false claim was first seen.

### 5.2. Misinformation and Disinformation recorded in the Register

Members of the public and election participants can submit items they consider to be misinformation and disinformation about the electoral process to the Electoral Commissioner via the NTEC email [ntec@nt.gov.au](mailto:ntec@nt.gov.au), the NTEC telephone number (08) 8999 5000 or the online portal available on the NTEC website.

Notifications will be reviewed by the Electoral Commissioner, or other authorised officers, to determine whether information should be included on the Register.



This is done at the Electoral Commissioner's or authorised officer's discretion.

The information must concern the **administration or delivery of an electoral event or process that the NTEC is responsible for** under the *Electoral Act 2004* and regulations under that Act, *Referendums Act 1998* and regulations under that Act, electoral provisions contained in the *Local Government Act 2019* and the *Local Government (Electoral) Regulations 2021*; and must include at least one of the elements below being:

- objectively false or identified as a known tactic for spreading misinformation and disinformation in a way that is deliberately leading to objectively false conclusions; and/or
- harmful to perceptions of electoral integrity for consumers of that information, and/or
- of significant enough reach or harm to potentially impact individuals outside of a small or closed communications community and their understanding of the electoral process.

### 5.3. Assessment of the Register

To avoid amplifying the views of any specific individual or organisation during an election campaign period, or creating any perception of partiality by the NTEC, information described on the Register will be limited to:

- the source of each piece of misinformation and disinformation; and
- a summary of the issue; and
- the month and year in which the false claim was detected; and
- details of action/s taken by the NTEC will be expressed in a generic manner so as not to identify any individual or organisation.

## 6. NTEC approach to misinformation and disinformation reports

Under the *Electoral Act 2004*, the NTEC is not responsible for regulating truth in political communications and advertising. It is the responsibility of Territorians to assess the truth of statements that are made by political parties and candidates before they cast their vote at an election.

The NTEC will provide information during an election regarding enrolment, candidate nomination process, voting services available to electors and information about responsibilities of electoral participants, for example authorisation campaign material and financial disclosure obligations. The NTEC will share information through its advertising campaign, information sessions, service centre (call centre), media releases. The NTEC website will provide all relevant information regarding the election event.

If there is incorrect information about the election process, the NTEC will take action to review and correct the incorrect information. Outside information concerning the electoral process, the NTEC does not have any role in checking the truth of other communications during the election period or relating to the election.

The NTEC will proactively manage misinformation and disinformation about the electoral process and Territorians are encouraged to contact the NTEC if they see something or hear something about the electoral process that does not look or seem right. The NTEC will assess the information provided and update the Register where necessary. The Register will be updated outside election events as required.



Certain electoral communications are required to be authorised to assist Territorians to know the source of the information. If a complaint is received, the NTEC will investigate electoral communications that are not properly authorised.

To maintain its independence, the NTEC will not engage in correspondence with the person or organisation from whom it receives a report of misinformation and disinformation, other than to acknowledge receipt of the report.

## 7. Related legislation, policy and resources

### 7.1. Legislation

- *Electoral Act 2004* - <https://legislation.nt.gov.au/Legislation/ELECTORAL-ACT-2004>
- *Electoral Regulations 2004* - <https://legislation.nt.gov.au/Legislation/ELECTORAL-REGULATIONS-2004>
- *Referendums Act 1998* - <https://legislation.nt.gov.au/Legislation/REFERENDUMS-ACT-1998>
- *Referendums Regulations 1998* - <https://legislation.nt.gov.au/Legislation/REFERENDUMS-ACT-1998>
- *Local Government Act 2019* - <https://legislation.nt.gov.au/Legislation/REFERENDUMS-ACT-1998>
- *Local Government (Electoral) Regulations 2021* - <https://legislation.nt.gov.au/Legislation/LOCAL-GOVERNMENT-ELECTORAL-REGULATIONS-2021>

### 7.2. Resources

- Disinformation and misinformation - <https://www.internationalcybertech.gov.au/our-work/security/disinformation-misinformation>
- Disinformation register - <https://www.aec.gov.au/media/disinformation-register.htm>

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Acronyms	Full form
NT	Northern Territory
NTEC	Northern Territory Electoral Commission

