



Northern Territory Electoral Commission

EVERY vote counts!

Friday, 04 June 2021

2020 Territory Election Report released

The Northern Territory Electoral Commission has today released its report for the 2020 Legislative Assembly election.

The NTEC has made a total of 22 recommendations to modernise democracy in the Northern Territory.

The report contains 10 recommendations in Part 1, which deals with operational and legal aspects of the election.

There are a further 12 recommendations in Part 2 of the report which deals with political disclosure.

Electoral Commissioner Iain Loganathan said the introduction of complex funding disclosure laws on 1 January 2020 meant that the NTEC needed to review the impact of those laws on elections.

"The new disclosure laws introduced new classes of election participants and a far greater number of reporting obligations that needed to be met by participants in the 2020 Territory Election," Mr Loganathan said.

"The recommended reforms are aimed at increasing transparency and simplifying and modernising the financial disclosure provisions in the Electoral Act.

The 22 recommendations contained in the report are attached to this release.

A copy of the report can be found on the NTEC website [here](#).

For more information go to www.ntec.nt.gov.au

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2020 Territory Election Report Recommendations Part 1

Recommendation 1 – Second objection period at discretion of committee

The commission recommends that a second public objection period should only be conducted when there is value to seeking further public objections to boundary changes that are significantly different to both the draft and existing boundaries. The decision as to whether a second objection period is warranted should be at the discretion of the redistribution committee and not prescribed by a quantitative trigger. In all other Australian jurisdictions, such decisions are left to the discretion of independent redistribution committees.

Recommendation 2 – Remove the requirement for statutory print advertising

The commission recommends Sections 5, 137 and 157 of the Electoral Act 2004 be amended to exclude the term 'newspapers' and should instead state the requirement for the commission to publish the information on the NTEC website.

Recommendation 3 – Online nominations portal

The commission recommends that an online nominations portal be developed, where the lodgement of nomination forms and payments are in one secure process.

Recommendation 4 – Prisoner enrolment to be completed in person by NTEC staff

The commission recommends that enrolment of prisoners is conducted by NTEC staff, with support from corrections staff, at the two larger correctional facilities in Alice Springs and Darwin.

This would avoid the large number of incomplete forms as well as provide training to corrections staff.

Recommendation 5 – Mobile voting service provided for all correctional centres

The commission recommends that mobile voting teams visit all correctional facilities to provide in-person voting services to eligible prisoners. This will assist in reducing the number of rejected postal votes and allow voting staff to issue provisional declaration votes to unenrolled prisoners as well as provide assistance to prisoners where required (e.g. how-to-vote instructional videos in 13 Aboriginal languages).

Recommendation 6 – No campaigning allowed at early voting centres

The commission recommends removing the 10 metre prohibition zone and disallowing campaigning at early voting centres. The NTEC will ensure that tables are placed at the entrance to all early voting centres where how-to-vote material can be displayed.

Recommendation 7 - Strategic partnerships

The commission recommends that partnership agreements with Services Australia and relevant NT Government agencies (e.g. the Departments of Education; Health; Local Government and Community Development, Territory Families, Housing and Communities) are explored for future elections, focusing on engagement and place-based approaches to delivering remote voting services.

Recommendation 8 – Ability to extend the 100m prohibition zone

The commission recommends that for election day voting centres where there is not an existing gazetted boundary, the Electoral Commissioner has the ability to extend the 100 metre prohibition zone boundary where it is deemed practical to do so.

Recommendation 9 – Abolish designated campaign areas on election day

The commission recommends abolishing designated campaign areas and instead mandating the placement of a table (or similar display structure) at the entrance of all election day voting centres where candidates can display information about themselves or how-to-vote materials in a structured way. Candidates and campaign workers would only be permitted to enter the prohibition zone to re-stock the materials as required but not engage with electors while there.

Recommendation 10– New election management system for 2024 Territory Election

The commission recommends that the administration of electoral events should be migrated to a new bespoke election management system built on a contemporary platform, well before the 2024 Territory Election.

2020 Territory Election Report Funding and Disclosure Recommendations

Recommendation 1 – No indexation of expenditure caps

The commission recommends the expenditure cap for the 2024 Territory Election remain at \$40,000 a seat and the indexation (application to monetary units) of the capping be removed. The cap should be reviewed after each election.

Recommendation 2 – Expenditure cap for third-party campaigners

The commission recommends an expenditure cap of \$60,000 be introduced for third-party campaigners. The cap should be reviewed after each election.

Recommendation 3 – Combining annual returns

The commission recommends one annual return for political parties and associated entities, rather than two (an annual return and a gifts return) for the financial year that is due 30 days after the end of the financial year.

Recommendation 4 – Returns in non-election years

The commission recommends the requirement for all candidates to submit an annual return is removed and replaced by the requirement that only Members of the Legislative Assembly are required to submit an annual return in non-election years.

Recommendation 5 – Election year returns

The commission recommends removing the requirements for candidates, political parties, associated entities and third-party campaigners to submit the following election year gift returns: 6-month return, quarterly 1 return and quarterly 2 return as the data in these returns will be included in the annual return.

Recommendation 6 – Details of loans to be provided to NTEC

The commission recommends that the details of all loans to registered parties or candidates that are required to be recorded, are also provided to the commission, including the terms of the loan made by lenders, as referred to in Section 190(2) of the *Electoral Act 2004*.

Recommendation 7 – Remove requirement for donor returns

The commission recommends that donors should not be required to submit annual returns for donations above the disclosure threshold of \$1,500 to candidates, registered political parties, associated entities, and third-party campaigners, as this information is verified during the compliance review through other source documentation.

Recommendation 8 – Travel allowance and accommodation exclusions from cap for intra-Territory travel only

The commission recommends that travel allowance and accommodation expenditure exclusions from the cap be limited to costs incurred for travel within the Territory only, therefore any expenditure on interstate and overseas travel and accommodation should be included in the cap and reported.

Recommendation 9 – Correction and simplification of disclosure provisions

The commission recommends minor corrections to technical inconsistencies in Part 10 of the *Electoral Act 2004*.

Recommendation 10 – Electorate allowance restrictions

The commission recommends that the Remuneration Tribunal's Determination No. 2 of 2020, on entitlements of sitting Members of the Legislative Assembly, is amended to restrict expenditure from electorate allowances to costs directly attributable to the administrative operations of the office for a set period within the reportable period for electoral expenditure. This is consistent with section 11 of Determination No. 2 of 2020 which specifies that electorate offices cannot be used for electioneering purposes and the convention that electorate allowances not be used for electioneering purposes.

Recommendation 11 – Public funding for election campaign expenses

The commission recommends a public funding system to cover a portion of election campaign expenses for eligible candidates and political parties. This should coincide with the introduction of appropriate limits on the value of donations.

Recommendation 12 – Resourcing the NT Electoral Commission

The commission recommends the allocation of an additional ongoing full-time equivalent officer to administer the financial disclosure responsibilities of the agency. Duties include: education, development of resources, management and compliance of returns, management of the website/portal, and management of compliance audits.