



**Australian Government**  
**Department of Finance**

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Dear Mr Lange

***Certification of independent reviews: Report on the conduct of the 2019 federal election and matters related thereto, Report on the conduct of the 2016 federal election and matters related thereto and Report on the conduct of the 2013 federal election and matters related thereto***

I am writing to certify that the attached independent reviews by the Joint Standing Committee on Electoral Matters (JSCEM) of the last three federal elections have undertaken a process and analysis equivalent to a Regulation Impact Statement (RIS) for the introduction of voter identification requirements at federal elections.

The JSCEM's role is to inquire into and report on electoral events, electoral laws and practices. The JSCEM inquiries aim to review the conduct of electoral events and ensure public confidence in the integrity and security of the electoral process.

Consistent with the Government's Regulatory Impact Analysis requirements, the JSCEM inquiries adequately address all seven RIS questions, and are submitted to the Office of Best Practice Regulation for the purposes of a final policy decision. Specifically, the JSCEM reports:

- Identified electoral fraud (including multiple voting) was not widespread across the country, however it was of concern to a significant proportion of the community and undermined confidence in the electoral system.
- Noted evidence from the Australian Election Commission (AEC) that some Australians are voting multiple times. While the apparent level of multiple voting is low, it is frequently the subject of commentary and social media speculation, giving rise to a lack of trust in the electoral results.
- Cited evidence that at the Queensland state election in 2015, voter identification requirements had negligible effect on voter participation. Voter turnout was slightly higher than it had been at the previous election, and less than one per cent of voters cast declaration votes as a result of not presenting the required identification documents.

- Recommended introducing voter identification to address impersonation, multiple voting and its impact on the community's perceptions of electoral integrity.

I consider that the scope of the problem and the recommendations identified in the reviews are substantially the same as the identified problem and recommendations in the policy proposal.

In regard to consultations (question 5), the JSCEM's reports outline broad consultations including:

- the Committee consulted widely during its inquiries; and
- each review received approximately 200 submissions and between 10 and 20 public hearings were held across Australia, including site inspections in most states.

In regard to options considered (question 6), the JSCEM's reports drew on consultations and submissions to consider the best options to address multiple voting at elections without imposing additional burden on individuals, community organisations and the AEC at each federal election. The introduction of voter identification aims to increase transparency and public trust in the electoral process. Any impact to voters from the requirement to provide an acceptable form of identification to be issued a ballot paper is offset by the public interest in having confidence and trust in the outcome and integrity of a federal election, and bring voting into line with other everyday activities that require identification. A broad range of commonly held identity documents, including in digital form, would be considered acceptable. Voter identification documents could include:

- photographic ID (such as a drivers licence, passport, or proof of age card);
- government-issued documentation, such as a Medicare card or birth certificate;
- proof of name such as an account statement from a utilities provider, rates notice, bank account statement or credit card, taxation notice of assessment or AEC-issued enrolment confirmation notice; or
- a document that specifies a person's name that is issued by an Aboriginal land council or a registered native title body corporate.

Voters will still be able to vote if they are unable to provide an acceptable form of identification. People who are unable to provide acceptable identification will be issued a declaration vote, which will not require proof of identification. There are existing checks and balances in place to verify the identity of a person casting a declaration vote. The requirement will not apply to blind and low vision voting and postal voting.

In terms of policy options, less than three are examined because:

- This measure does not impose any additional regulatory burden on Australian voters, who are already required to satisfy the polling officer of their identity (full name and address) to be issued a ballot paper. Under the proposed measures in this Bill, the elector will no longer need to confirm their ID verbally but will instead be able to present proof of ID that contains their name, enhancing the privacy of voters.
- In conducting their inquiries, JSCEM consulted on a number of different focus areas and consistently identified voter identification as tangible reform option to consider for implementation; and
- The options identified by JSCEM were direct responses to known problems and were supported, although not universally, during consultation.

In regard to implementation (question 7), the measure will require legislation. AEC will include information about voter identification requirements as part of its information and education campaign prior to an electoral event. JSCEM will evaluate the changes following the federal election as part its remit to review electoral laws and practices.

The regulatory burden to business, community organisations or individuals is quantified using the Australian Government's *Regulatory Burden Measurement* framework and is provided below. I note that individuals are not obliged to obtain new identification from the implementation of these proposals, and federal elections typically occur once every three years, and consequently these proposals involve no tangible increase in regulatory burden.

<b>Regulatory burden estimate table</b>				
<b>Average annual regulatory costs (from business as usual)</b>				
Change in costs (\$ million)	Business	Community organisations	Individuals	Total change in costs
Total, by sector	\$0	\$0	\$0	\$0

Accordingly, I am satisfied that the attached JSCEM reports are consistent with the *Australian Government Guide to Regulatory Impact Analysis*. A copy of the JSCEM reports are available on the Committee's website at [https://www.apf.gov.au/Parliamentary\\_Business/Committees/Joint/Electoral\\_Matters/](https://www.apf.gov.au/Parliamentary_Business/Committees/Joint/Electoral_Matters/).

Yours sincerely



Nathan Williamson  
Deputy Secretary  
Department of Finance

26 October 2021