

Report on the administration of the

2023 NSW State election



The NSW Electoral Commission acknowledges the Traditional Owners of Country throughout New South Wales and their continuing connection to the land, sea and community. Our head office is located on Gadigal land. We pay our respects to Elders past and present.

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About this report

Under section 271 of the *Electoral Act 2017*, the Electoral Commissioner for New South Wales must conduct a review of the administration of each general election and provide a report on the outcome of that review to the Minister. This report is provided to discharge that duty.

The 2023 NSW State election was conducted by the Electoral Commissioner under the provisions of the *Electoral Act 2017* and was regulated by the NSW Electoral Commission statutory authority, which is responsible for public funding, the administration and enforcement of the *Electoral Funding Act 2018* and the enforcement of the Electoral Act. The report's content is presented in three parts, reflecting the respective statutory functions of the Electoral Commissioner (Part one) and the Electoral Commission (Part two) and an election summary of each of the 93 electoral districts in New South Wales (Part 3).

Part one provides an overview of the election held on Saturday, 25 March 2023. It includes aggregated statistical information about the election, together with information about voting channels, voting and count centres, staffing and funding of the election. It also details recent changes to the legislation that governs the conduct of state elections in New South Wales. Part one also includes recommendations by the Electoral Commissioner for legislative reform.

Part two summarises the integrity and enforcement activities undertaken to support the election. It also details the Electoral Commission's role in administering public funding and regulating the election, and the New South Wales funding and disclosure scheme for political participants. Part two includes recommendations by the Electoral Commission for legislative reforms.

Election information about each of the 93 electoral districts, including nominated and elected candidates, summary of votes by vote type, staffing and venue numbers is provided in Part three.

This *Report on the administration of the 2023 NSW State election* is supplemented by the outcomes of independent research, which measure and evaluate the level of the satisfaction of election stakeholders (voters, candidates and other political participants) with various aspects of the election.

Part one

Details of the election as administered by the NSW Electoral Commissioner under the *Electoral Act 2017*

Part one provides an overview of the election administered by the Electoral Commissioner on Saturday, 25 March 2023. It includes aggregated statistical information about the election, information about voting methods, voting and count centres, staffing and funding of the election. It also details recent changes to the legislation that governs the conduct of state general elections in New South Wales. An update on the implementation of the recommendations from the report of the Joint Standing Committee on Electoral Matters, *Administration of the 2019 NSW State election* is also provided.

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The election at a glance



Note: The numbers in brackets referring to 'SG19' are from the 2019 NSW State election.

About the office of the NSW Electoral Commissioner

The Electoral Commissioner for New South Wales is an independent statutory officer appointed under the Electoral Act and is responsible for administering a range of elections in NSW: NSW parliamentary elections, local government elections (if engaged to do so), NSW Aboriginal Land Council elections, and elections for registered clubs, statutory boards and state-registered industrial organisations (if engaged to do so).

The Electoral Commissioner also has the function of registering political parties and maintaining the Electoral Information Register for New South Wales through joint roll arrangements with the Australian Electoral Commission.

The Electoral Commissioner is an *ex officio* member of the Electoral Commission. The three-member NSW Electoral Commission provides advice to the Electoral Commissioner when requested but cannot direct the staff agency or the conduct of elections or matters relating to the electoral roll.

The Electoral Commissioner is also the head of the Public Service staff agency (also known as the NSW Electoral Commission). The staff agency supports the Electoral Commissioner and Electoral Commission in exercising their distinct but complementary statutory functions for delivering elections and regulating participation in the political process. The staff agency is a 'separate agency' under Part 3 of Schedule 1 of the *Government Sector Employment Act 2013*.

The three-member NSW Electoral Commission provides advice to the Electoral Commissioner when requested but cannot direct the staff agency or the conduct of elections or matters relating to the electoral roll. The Electoral Commissioner, in his capacity as head of the staff agency, is responsible for its day-to-day management, including financial management.

References to the NSW Electoral Commission in this report may be to either the three-member statutory body or the Public Service staff agency, as the context requires.

Foreword from the Electoral Commissioner



Pursuant to section 271 of the *Electoral Act 2017*, I have conducted a review of the administration of the 2023 NSW State election. This report reflects the outcomes of that review.

The NSW State election on Saturday, 25 March 2023 elected the 58th Parliament of New South Wales. This included the 93 seats in the Legislative Assembly and 21 of the 42 seats in the Legislative Council.

The writs for the 2023 Legislative Assembly and Legislative Council elections were issued by Her Excellency the Governor, the Honourable Margaret Beazley AC KC on Monday, 6 March and were returned on Friday, 5 May 2023.

The election saw a slight decrease in turnout compared with the 2019 State election (90 per cent compared with 90.16 per cent). Informality rates improved compared with the 2019 State election: to 3.28 per cent from 3.46 per cent for the Legislative Council and 5.69 per cent from 6.35 per cent for the Legislative Council.

Several important themes emerged during the administration of this election:

- There was a notable continuation of the rise in early voting, with consequences for both the administration of the election and the conduct of campaigns by election participants.
- There was a much higher uptake of postal voting than at previous elections.
- A high level of public trust in the integrity of NSW elections was maintained but was threatened by disinformation and misinformation on social media.
- Public trust in the integrity of NSW was supported through operational excellence on display at the one re-count that was conducted.
- The safety and wellbeing of election officials was impacted through being filmed and falsely accused of wrongdoing, while carrying out their duties, by members of the public.
- The Electoral Commission continued to mature its safety culture, embedding safer working conditions for election officials with flow-on consequences for the speed of the count.
- Past end-of-life election systems remained stable but required high levels of investment and risk tolerance, demonstrating the urgent need to fund and begin a digital modernisation programme ahead of the 2027 NSW State general election.
- Integrity risks were mitigated through close collaboration with the Commonwealth's Electoral Integrity and Assurance Taskforce and its members, and Cyber Security NSW.
- A pilot "one-stop-shop" helpdesk service for candidates and parties demonstrated the benefits of re-baselining the resourcing of the Electoral Commission to be able to deliver an improved stakeholder experience.

Discussion of these themes occurs throughout this report.

A redistribution was conducted in 2021 to adjust the district boundaries across all 93 New South Wales electoral districts. This redistribution came into effect for the 2023 State election.

A general election is one of the largest community events held in New South Wales, involving millions of electors, tens of thousands of staff, thousands of venues and a complex logistical and safety framework. I am grateful to the staff of the NSW Electoral Commission, and the election participants and voters of New South Wales, who contributed to the successful and safe administration of this election.

A handwritten signature in black ink that reads "John Schmidt". The signature is written in a cursive style with a prominent initial "J" and a long, sweeping underline.

John Schmidt
Electoral Commissioner for New South Wales

Election calendar

2023 NSW State election calendar (as at May 2023)

Saturday 25 March 2023

2019	2022	2023
<p>March</p> <p>SATURDAY 23</p> <p>Start of registration period for candidates, groups and third-party campaigners.</p>	<p>July</p> <p>FRIDAY 1</p> <p>Start of claimable period for Election Campaigns Fund.</p> <p>THURSDAY 28</p> <p>Half-yearly political donation and annual major political donor disclosures due for period ending 30 June 2022.</p>	<p>September</p> <p>THURSDAY 22</p> <p>Annual electoral expenditure disclosures due for period ending 30 June 2022.</p>
	<p>October</p> <p>SATURDAY 1</p> <p>Start of capped expenditure period.</p> <p>Start of pre-election donation disclosure period.</p> <p>Start of advance payment period for Election Campaigns Fund.</p> <p>November</p> <p>WEDNESDAY 2</p> <p>Expressions of interest for working at election open.</p>	<p>January</p> <p>MONDAY 16</p> <p>Postal vote applications open.</p>

2023				
<p>February</p> <p>MONDAY 13</p> <p>Half-yearly political donation disclosures due for period ending 31 December 2022.</p> <p>MONDAY 27</p> <p>8am: Commence lodgement of nominations.</p> <p>March</p> <p>FRIDAY 3</p> <p>Legislative Assembly expires.</p>	<p>MONDAY 6</p> <p>Issue of Writs</p> <p>6pm: Roll preparation for confirming candidates/nominators and authorised roll printing.</p> <p>Regulated election period commences.</p> <p>WEDNESDAY 8</p> <p>12 noon: Close of nominations.</p> <p>12 noon: Close of registration of candidates and groups.</p> <p>Registration of electoral material commences.</p> <p>THURSDAY 9</p> <p>10am: Announcement of candidates and conduct of ballot draw.</p> <p>Online system for registration of electoral materials is available.</p>	<p>MONDAY 13</p> <p>8am: Registered electoral material available on NSW Electoral Commission website.</p> <p>FRIDAY 17</p> <p>5pm: Registration of electoral material closes</p> <p>SATURDAY 18</p> <p>Early voting period opens.</p> <p>MONDAY 20</p> <p>Declared facility voting period opens.</p> <p>Close of registration period for third-party campaigners.</p> <p>6pm: Postal vote applications close.</p>	<p>FRIDAY 24</p> <p>Declared facility voting period closes.</p> <p>Early voting period closes.</p> <p>SATURDAY 25</p> <p>8am - 6pm Election day</p> <p>End of capped state expenditure period.</p> <p>End of claimable period for the Election Campaigns Fund.</p> <p>End of pre-election disclosure period for reportable donations.</p> <p>End of advance payment period for Election Campaigns Fund.</p> <p>End of regulated election period</p>	<p>April</p> <p>THURSDAY 6</p> <p>Receipt of postal vote closes</p> <p>14</p> <p>Estimated completion of Legislative Assembly declaration of results.</p> <p>THURSDAY 20</p> <p>Estimated completion of Legislative Council declaration of results.</p>

2023
<p>August</p> <p>MONDAY 11</p> <p>Half-yearly political donation and annual major political donor disclosures due for period ending 30 June 2023.</p>

2023
<p>September</p> <p>FRIDAY 22</p> <p>Annual electoral expenditure disclosures due for period ending 30 June 2023.</p>

The legislative framework

The Electoral Act 2017

The Electoral Act and *Electoral Regulation 2018* establish the legislative framework for administering parliamentary elections in New South Wales.

Key changes to the Electoral Act and Regulation since the 2019 State election included:

- The early voting period was shortened from 12 to seven days.
- The time permitted for receiving postal votes was increased from four days to a prescribed period of up to 13 days following the election day. The prescribed period was set at 12 days for the 2023 NSW State election due to the Good Friday public holiday falling on 7 April 2023.
- Technology assisted voting was limited to operator assisted telephone voting for electors who are blind or have low vision.
- Modified requirements were introduced for the printing of postal vote certificates and scrutiny of returned postal vote envelopes.
- Authorisation rules were amended for certain electoral material, including unpaid social media posts, SMS messages and automated telephone calls (robocalls).
- A voting centre manager or election official was required to consider guidelines (if any) issued by the Electoral Commissioner before enforcing the 'six metre' rule outside the entrance to a voting centre.

See Part two for changes to the *Electoral Funding Act 2018* as administered by the Electoral Commission statutory authority.

Reviews, inquiries and submissions

Joint Standing Committee on Electoral Matters: Inquiry into the administration of the 2019 NSW State election

The Joint Standing Committee on Electoral Matters (JSCEM, the Committee) inquires into, and reports on, electoral laws and practices. In October 2020 the JSCEM released its report on the [Administration of the 2019 NSW election and related matters](#). This report contained 54 recommendations. Of these, the then NSW Government accepted (in full or in principle) 44, did not accept one and noted the remaining nine. An update on the implementation by the NSW Electoral Commission of relevant recommendations is provided at Appendix A.

Joint Standing Committee on Electoral Matters: Adequacy of the funding allocation of the NSW Electoral Commission for the 2023 State general election

In November 2022 the JSCEM released its report of its inquiry into the [Adequacy of the funding allocation of the NSW Electoral Commission for the 2023 State general election](#). In the report, the JSCEM, having noted the key role played by the Electoral Commission in enabling democracy in state and local government elections, commented that adequate funding for the Electoral Commission is important to ensure that elections in NSW are conducted to the highest standard and with the utmost integrity.

Following approval by NSW Treasury in its 2022-23 Budget of the Electoral Commission's funding submission of \$50.5m, the Committee considered that the funding allocated to the Electoral Commission for the 2023 State general election appeared to be adequate for the proper conduct of the election. While the JSCEM considered that funding for the election was satisfactory, it noted that the current funding levels remained inadequate to address longer-term issues; in particular the Electoral Commission's ageing technology systems and cyber security vulnerabilities. The Committee found that, in non-election years, funding shortfalls have impacted the Electoral Commission's capacity to keep its systems current. This has resulted in non-compliance with NSW Government standards, particularly in relation to cyber security.

To address this, the JSCEM recommended that the Electoral Commission be provided with additional funding in upcoming budgets to address long-term systemic issues. The JSCEM accepted that it is challenging to maintain and update systems with the current funding arrangements and recommended that additional funding be provided to the Electoral Commission, particularly in those years where there is not a major state-wide election event (a state parliamentary or local government general election). This would allow for systems upgrade and other projects while there is more capacity across the organisation.

The JSCEM also noted the ongoing concerns from stakeholders about the iVote electronic voting system that was, until recently, used in NSW elections. The Committee supported the decision not to use iVote in the 2023 NSW State election, noting that it was, however, important that NSW electors have alternative, accessible and secure voting platforms and tools available to them for future elections, particularly people with disability.

Details of Parliamentary Committee inquiries, including reports and submissions, are published on the NSW Parliament's [website](#).

Submission by the Electoral Council of Australia and New Zealand to the Postal Services Modernisation review

The Electoral Council of Australia and New Zealand (ECANZ), of which the NSW Electoral Commissioner is a member, considers issues about the development and maintenance of the electoral roll for Commonwealth, state, territory and local government elections and other matters of electoral administration that have implications for Australian and New Zealand electoral authorities

In March 2023, the federal Department of Infrastructure, Transport, Regional Development, Communications and the Arts published a Discussion Paper *Postal Services Modernisation* to inform development of balanced changes to ensure postal services meet the needs of the Australian community both now and into the future.

The ECANZ made a submission in response to the discussion paper, highlighting issues that Australian electoral commissions face with the Australia Post letter delivery service as it currently stands, as well as risks and opportunities to reform.

The key considerations included:

- Electoral commissions operate under regulatory frameworks that require the use of the letter service, with the most important of these services relating to postal voting in elections. The letter service is a critical voting service which would be challenging and expensive to replace by digital channels or transitioned to digital alternatives.
- The enfranchisement of Australian postal voters relies on an effective, efficient and reasonably priced letter service. Any change to the letter service must be carefully constructed to avoid negatively impacting electors' political participation, causing delay in the declaration of election results or diminishing electors' trust in the integrity of electoral processes within Australia.

In the context of elections conducted in New South Wales, the NSW Electoral Commission uses Australia Post's letter services for a range of key functions, including the following:

- Providing electors with postal ballot packs during election events (state and local government elections and by-elections).
- The return of completed postal ballots by electors. Delays in the return of completed postal ballot papers can lead to delays in the declaration of results.
- Delivery of electoral awareness material to households and electors.
- Compliance activities such as the delivery of 'Apparent failure to vote' notices.
- Communicating with electors about enrolment activities.

Information about the review, including submissions, was published on the Australian Government Department of Infrastructure, Transport, Regional Development, Communications and the Arts [website](#).

Digital modernisation business case submission to NSW Treasury

The Electoral Commission requires a unified and future-facing approach to digital modernisation to improve its integrity and sustainability, strive to exceed stakeholder expectations and drive effective and efficient delivery of electoral services.

While the Electoral Commission has been able to mitigate significant risks which could result in election failure, some risks have been realised and there is a recognition that fundamental change is required.

At the 2023 State election, the Electoral Commission put in additional effort to ensure stability and adequate performance of various election systems, including the Election Management Application that has been used since 2005. This included changes to the software, additional staff to continually monitor the system throughout operations and deployment of additional infrastructure capacity at significant additional cost. Even with these measures in place there were issues with the system that had to be managed through operational work-arounds throughout the election. Continuing to deliver elections with the current IT infrastructure and systems arrangements is becoming increasingly costly and impacts overall operational efficiency as multiple fixes and operational work-arounds must be applied.

Historical under-investment and aging systems, exacerbated by complicated funding arrangements, leaves electoral processes in an exposed state. The urgent requirement for a contemporary approach to managing the electoral process is compounded by the evolving legislative provisions with which the Electoral Commission must comply, as well as increasing customer expectations and obligations and a rapidly changing technological and cyber threat landscape.

To achieve the best outcomes for the citizens of NSW at future elections, and provide the best value for money, the Electoral Commission is developing a proposal for a long-term programme to modernise the digital environment for the Electoral Commission. If the digital modernisation programme continues to be funded, a service-based approach will inform investment in systems, achieving future service improvements and making the services provided more reliable, efficient and ensuring the ongoing integrity of electoral processes in NSW.

Redistribution of electoral districts

Background

New South Wales is divided into electoral districts for the purpose of electing members to Legislative Assembly (the Lower House of the NSW Parliament). At a state election, voters in each electoral district elect one candidate to represent them in the Legislative Assembly. There are currently 93 electoral districts in New South Wales.

The Constitution Act requires that each electorate has an approximately equal number of eligible voters. The Constitution Act also requires that electoral district boundaries are reviewed and adjusted over time. This review process is called a redistribution and must take place after every second New South Wales state general election. A redistribution was conducted in 2013, with the resultant electoral district boundaries being in place for the 2015 and 2019 State elections. A fresh redistribution was required following the 2019 State election.

A redistribution is conducted by an independent panel, the Electoral Districts Redistribution Panel (the Panel), which is established under the Electoral Act.

The 2021 redistribution

Following a public consultation process conducted during 2020-21, the Panel made its [final determination](#) of the names and boundaries of electoral districts on 12 July 2021. This determination was officially proclaimed on 26 August 2021 by the Governor, Her Excellency the Honourable Margaret Beazley AC KC.

The redistribution came into effect for the 2023 NSW State election and will also apply to the 2027 NSW State election.

The Electoral Commission implemented a communications plan to boost awareness of the redistribution and help ensure electors knew how it would affect them.

- A dedicated redistribution hub on the Electoral Commission's website outlined the changes and directed affected voters to the "Find my electorate" page to confirm their current district.
- The voter awareness campaign for the election included information about the redistribution, targeted to electors impacted by any electoral district name and/or boundary change.
- A printed brochure was mailed to 1.75 million enrolled electors affected by the redistribution.
- The Electoral Commission produced an animated video to support the redistribution (translated into seven languages and with audio description).
- The Electoral Commission engaged with major metro and local media. This included media releases, interviews with local media outlets and responding to inquiries that resulted in general media coverage across the state.
- Content was also rolled out across the Electoral Commission's social media channels to promote the changes to district names and boundaries.

Implementing legislative changes for the 2023 election

Amendments were made by the NSW Parliament to the Electoral Act and Electoral Funding Act that applied to the 2023 NSW State election. In response to these amendments, the Electoral Commission made changes to some of its election procedures.

Early voting was one week, not two

An amendment made in November 2022 shortened the maximum early voting period from 12 days of voting to seven days of voting. For the 2023 NSW State election, early voting commenced on Saturday, 18 March 2023.

There has been a continuing and significant rise in the number of electors voting early over the past three NSW state elections. Similarly, though the early voting period for the 2022 federal election had been shortened from three weeks to two weeks, more electors in NSW voted early at that election than at the 2019 NSW state election. In light of this continuing trend, the Electoral Commission estimated there would be a greater rate of early voting than at previous NSW elections despite the shortened early voting period.

To accommodate this expected increase in early voting demand, the number of early voting venues increased by 42 per cent compared with the 2019 NSW State election and 1,500 additional staff were engaged.

A new form of postal vote certificate was used

To respond to anticipated higher demand for postal voting, the Electoral Commissioner determined that an alternate form of postal vote certificate be used at the 2023 NSW State election. The key change being that an elector's postal vote certificate was to be sealed inside the envelope in which their vote is returned, instead of being printed on that envelope. This change meant less risk in producing the required number of envelopes within the statutory deadlines.

Postal votes were accepted for counting until 6 April 2023

Postal votes are allowed to be accepted for counting if they are received by the expiry of the period following the close of voting prescribed by the regulations, which may not exceed 13 days. Previously the time period for returning postal votes was four days following election day. The increase aligns with federal election timeframes and reflects changes in postal delivery services.

The prescribed period for the 2023 NSW State election was 12 days, due to the Good Friday public holiday falling on 7 April 2023.

iVote was not available

Technology assisted voting at the 2023 NSW State election was limited to operator assisted telephone voting for electors who are blind or have low vision.

Guidelines were issued for administering the 'six-metre rule'

For this election, the Electoral Commissioner issued a guideline under new section 206A of the Electoral Act about how election officials should approach the 'six-metre rule'. The guideline aimed to:

- support safety and access to voting centres and early voting centres
- ensure the prohibitions on campaigning within a six-metre perimeter from the entrance of voting centres and early voting centres were enforced consistently.

Proposals for legislative change

Electoral legislation should be reviewed on an ongoing basis to ensure that it remains fair, effective and responsive to the operational context in which elections are conducted. It should be amended well-ahead of any election event, wherever practicable, to ensure there is sufficient time for the Electoral Commission to design, test and implement any changes to its systems and processes. It is difficult for an electoral commission to maintain operational excellence and trust in the integrity of its systems if changes are made late and/or are not resourced realistically.

As the independent returning officer for NSW parliamentary elections, the Electoral Commissioner generally only comments on the operational impact of legislation on administering an election successfully. A number of potential improvements to electoral practice have been identified arising from the State election in March 2023 that would require legislative amendment. The key proposals for change are set out below. If not otherwise stated, a reference to legislation here is a reference to the Electoral Act and its corresponding regulations as they relate to enrolment, nominations, voting, counting and results. Some further recommendations for changes to the electoral funding legislative framework and provisions relating to the Electoral Commission's enforcement functions are included in Part two of this report.

Proposal 1

Appointment of election officials

It is recommended that the requirements for eligibility to be appointed as an election official be reviewed. The current regulation-making power was used to extend the range of persons who could be appointed to support overseas voting at the 2023 State election. There is no authority, however, for the Electoral Commissioner to appoint a person who is not an Australian citizen as an election official, even if they are an ongoing employee of the Electoral Commission or a member of staff of an Australian embassy.

Proposal 2

Provision of enrolment information to candidates

The legislation requires the Electoral Commissioner to provide, at the request of any candidate for election, a copy of a list of electors and their particulars. For candidates nominated for the Legislative Assembly, this is a list of electors for the electoral district for which the candidate is seeking election, whereas for candidates for the Legislative Council this is a list of all electors in New South Wales. The Electoral Commission recommends that candidates may only request a list of electors no later than 48 hours before the close of voting. Given the restrictions that apply to the use of enrolment information for privacy protection of voters, it is unclear how lists requested and received after this time could be effectively used by a candidate for the limited election-related permitted purposes specified in the legislation.

Proposal 3

Postal voting applications distributed by participants

The Electoral Commission offers a number of options (including by post, online and phone) for electors who to apply for a postal vote. Notwithstanding the availability of these application channels, there is a long-standing practice of parties, candidates and elected members distributing their own postal vote application forms to electors. While not endorsing this practice, the Electoral Commission takes steps to encourage these election participants to include information about privacy with their applications and give electors the option of returning the forms directly to the Electoral Commission. This practice nonetheless continues to present both administrative challenges and raise privacy issues.

At each election, the Electoral Commission fields inquiries and complaints from electors who receive postal vote application forms from election participants. The completion of these forms involves the collection of an elector's personal information by the political participant. The *Privacy and Personal Information Protection Act 1998* (NSW) (PPIP Act) does not apply to candidates, political parties and third-party campaigners, as they are not public sector agencies. As such, personal information collected by these entities is not protected under the PPIP Act. Political parties in NSW are also exempt from complying with the Commonwealth *Privacy Act 1988*, which exempts "political acts and practices" that are done broadly in connection with an election or referendum.

Further, this practice creates a risk of a form sent by an election participant falsely appearing to be made by the Electoral Commission, which is an offence under section 215 of the Electoral Act. An example of such a risk arises where the Electoral Commission's postal vote application form is embedded in the election participant's own documentation and the participant does not clearly indicate to an elector that the material is not an official communication from, and has not been authorised by, the Electoral Commission or Electoral Commissioner.

Some completed postal vote application forms are also not returned to the Electoral Commission by the legislated cut-off date for receipt of those applications. In such circumstances the applicant electors can be prevented from voting at an election if they do not have an alternative voting method available.

In 2022, ahead of the Victorian state general election, the Victorian Parliament passed an amendment to their electoral legislation prohibiting persons other than the Victorian Electoral Commission from distributing applications to vote by post. In South Australia, it is an offence for a person to distribute, or cause or permit to be distributed, a form for the application for the issue of declaration voting papers (which includes voting by post), unless the application is in the prescribed form, states on the form that it must be returned directly to the Electoral Commissioner and no additional information or matter appears on the form or on the reverse side of the form. The Electoral Commission recommends that consideration be given to whether the practice of distribution of postal vote applications by political participants should continue, having regard to both privacy and the potential for electors to be disenfranchised.

Proposal 4

Postal voting generally

The Electoral Commission recommends that the modifications to postal voting (with regards to specific printing requirements) in Schedule 8 of the Electoral Act, which applied for the 2023 State election (and apply to by-elections conducted up to the 2027 State general election), be made permanent.

Due to challenges in the print industry in Australia, it is proving increasingly difficult to secure a supplier that can fulfil the print specifications of the standard postal certificate at the scale required for a New South Wales general election. The Electoral Commissioner recommends that the modified procedure that applied for the 2023 State election be adopted for all future general elections and, for operational and voter-experience consistency, by-elections.

Proposal 5

Overseas postal voting

The Electoral Commission has explored ways to improve overseas postal voting arrangements in light of global postal service delays. These delays mean that overseas postal votes often are not received by the Electoral Commission in time to be included in the count. The options available for managing overseas postal voting at the 2023 State election were limited, because the legislation does not expressly make provision for the return of postal votes from overseas. The Electoral Commission supports the introduction of provisions to enable a greater proportion of overseas postal votes to be received in time to be included in the count, for example, by allowing postal votes to be received by an election official located overseas by a prescribed date and time and for the forwarding of such postal votes to the Commission by courier. Increased flexibility as to who can be appointed as an election official for such a purpose would also assist with the return of overseas postal votes.

Proposal 6

Processing of early and postal votes

Due to the significant increase in early and postal voting, it will continue to be challenging to count a significant number of these votes on election night, consistent with safe work practices. If the speed of the count on election night is to be prioritised without compromising safety, authorising some additional processing of ballot papers from early voting centres and postal ballot papers prior to the close of voting on election day could be considered on a trial basis for the 2027 State election in districts determined by the Electoral Commissioner. If this was to be permitted, additional processing of ballot papers should only be done during a limited authorised period, prior to the close of voting on election day and within a restricted and secure area.

The processes envisaged for any such change would include the opening of ballot boxes from early voting centres at the election manager's office for the district, or in a centralised count centre; and unfolding, flattening, sorting those ballot papers into districts. To support security, it is not proposed that any counting of preferences or any sorting of ballot papers according to the preferences marked on them be permitted but scrutineers should be able to attend. In 2018, ahead of the 2018 Victorian state election, the Victorian Parliament passed an amendment to their electoral legislation, enabling early processing of votes received by post and at early voting centres within authorised periods on election day. The Victorian Electoral Commission reported this processing contributed to the volume of total votes counted on election night in 2018. In 2022, the Victorian Parliament passed a further amendment enabling the processing of early votes to commence from 8am on election day, matching the period during which postal votes could be processed.

Proposal 7

Availability of technology assisted voting

Technology assisted voting at the 2023 State election was limited to operator assisted telephone voting for electors who are blind or have low vision. The Electoral Commissioner is conducting a review of future options for technology assisted voting, with a final report due in October 2023. It is recommended that the availability of technology assisted voting continue to be limited by legislation to telephone voting for electors who are blind or have low vision for all by-elections conducted up to the 2027 State general election, to allow sufficient time for any new technology assisted voting solution to be identified, developed and appropriately tested before wider application is considered.

Proposal 8

Overseas voting

The Electoral Commissioner recommends that overseas voting provisions, like those introduced for the 2023 State election, be considered to allow attendance voting at overseas voting centres appointed by the Electoral Commissioner at all general elections. These provisions enabled voting centres to be appointed outside of Australia for all electoral districts, at which absent declaration voting could occur prior to and on election day, at specified days and times determined by the Electoral Commissioner. Further, election officials for such voting centres could be appointed solely based on their skills and experience.

Proposal 9

Interstate voting

At the 2023 State election, the Electoral Commission observed that the legislative provisions that applied to overseas voting were simpler and less burdensome, administratively, than those that apply to interstate voting. The provisions enabled overseas voting centres to be appointed outside of Australia for every electoral district, at which absent declaration voting could occur prior to and on election day, at specified days and times determined by the Electoral Commissioner. Further, election officials for such voting centres could be appointed solely based on their skills and experience. Conversely, interstate voting centres were required to be appointed in respect of a particular electoral district, offer a variety of vote types and required election officials meet the enrolment criterion for appointment prescribed by the Electoral Act and Regulation. The overseas voting provisions are more appropriate for voting outside of NSW. The Electoral Commissioner recommends that similar provisions be adopted for interstate voting at future elections.

Proposal 10

Maintaining health and safety of electors and election staff

Presently under legislation, the Electoral Commissioner and any voting centre manager may give such directions as are necessary to maintain order at any election or any place where voting is occurring. Contravention of such a direction without lawful authority is an offence. It is not clear, however, that “maintaining order” extends to limiting safety risks that do not involve violence, verbal abuse or similar conduct. In such circumstances, it may be that the only option is for the Electoral Commissioner to suspend or adjourn voting at a voting centre. To remove ambiguity about the extent of an election official’s power to issue a lawful direction to maintain safety, it is recommended that the legislation be amended to expressly authorise directions to be given for this purpose. Such an express authority would assist to manage risks more effectively such as those experienced at recent election events (being COVID-19 and flash flooding) without increasing the risk of an election being adjourned to another day or failing after a suspension.

Proposal 11

Safety of election officials

A number of factors have contributed to a rise at recent Australian elections, including the 2023 State election, of threats to the physical safety and wellbeing of election officials. During the election, the Electoral Commission became aware that some officials were being filmed or photographed in the course of their duties, without their consent, by members of the public. In some cases, the footage and images were then published on social media, accompanied by false statements or misleading commentary. Election workers were clearly identifiable in posts that contained verbal and sometime written allegations of criminality. Although the Electoral Commission provided support to individual workers, who are generally members of the broader community and who are critical to the delivery of Australian elections, some decided not to continue to work at the election. The proliferation of handheld devices and the rise in dis/misinformation campaigns on social media suggest that this trend is likely to continue and that specific legislative protections for election officials should be explored further. The Electoral Commission is concerned that without a clear legislative signal that the safety of election officials is a serious matter, its capacity to recruit willing workers will decline over time and trust in NSW elections will be diminished. This is a matter that is also the subject of serious consideration by other electoral commissions in Australia, with the Chair of ECANZ writing recently to the eSafety Commissioner to explore her views on an appropriate response to this challenge.

The legislation currently creates an offence for a person to contravene a direction, without lawful authority, issued by the Electoral Commissioner or voting centre manager to maintain order at any election or any place where voting is occurring, and to obstruct access to a voting centre. These offences were inadequate, however, to deter the type of conduct observed at the 2023 State election. Enforcement in this context may also be challenging, given that filming and photography of election officials can occur in a public place and not always at close proximity to an election worker.

The Electoral Commission recommends consideration be given to prohibiting a person from filming or photographing an election official in the course of their duties, and any other supportive measures that may be appropriate, including prohibitions on serious harassment. A new offence would enhance the protections available for election officials and support ongoing public trust in elections. Such a new offence could potentially meet at least three strong public interest objectives:

- deter conduct that causes unacceptable distress to individual election officials and creates safety risks for all officials and, potentially, voters
- reflect community expectations that the contribution of thousands of election workers to democracy is valued and that the community should take reasonable steps to protect these workers from harm while performing their official duties
- support the continued reputation of the Electoral Commission as a trusted election administrator, which is central to a stable democracy.

More on this issue is covered later in this report.

Proposal 12

Provision of election information to parties

Section 222 of the Electoral Act provides that, after an election, the Electoral Commissioner must ensure that each registered party that makes a request, and each member of Parliament who is not a member of a registered party and makes such a request in respect of the member's district, is provided with 'election information' containing the names and addresses of electors who voted (other than silent electors and itinerant voters), whether they voted in person, by post or by another method, and the location of the voting centre they voted at (for those who voted in person).

The Electoral Commission notes that there is no power to require that recipients of this information give to the Electoral Commissioner an undertaking regarding its security, consistent with the provisions that apply to requests for enrolment information. The Electoral Commission further notes that there is no statutory mechanism for it to audit compliance or take enforcement action in relation to non-compliance with any undertakings.

If the giving of such undertakings is not considered appropriate for another policy reason, an amendment could be made that the Electoral Commission prepare statistical data that would provide recipients with information that allows them to identify voting trends and behaviours, without disclosing the personal information of individual electors.

Proposal 13

Powers necessary to respond to major event disruptions

In recent years, New South Wales has experienced a high number of natural disasters, including widespread flooding and bush fires. In addition, there has been the public health emergency brought about by the COVID-19 pandemic. These types of events have the potential to cause serious disruption to a general election.

While the *Electoral Act 2017* contains some provisions to assist the Electoral Commissioner to conduct an election in the face of temporary or minor disruptions, it would be beneficial to have clear powers or mechanisms to respond to major disruptions to an election event, especially where the disruption will lead to a failure of the election. Under the Act, there is presently no mechanism for the Electoral Commission to return a writ before the final date without an election result recorded on it. It is also unclear whether the dates for return of the writs can be extended after a major disruption to avoid the election failing. Some electoral legislation in other Australian jurisdictions already provides greater certainty and flexibility, including where an election fails, such as the option to return the writs to the Governor with no result recorded. It would appear to be prudent for New South Wales to further explore this matter.

Funding and financial management

2023 NSW State election budget and funding

The Electoral Commission received an initial funding allocation of \$89.1 million to conduct the 2023 NSW State election. This was based on the cost of delivering the 2019 State general election, with adjustments for CPI. The Electoral Commission estimated the costs to conduct the election at \$140.7 million, giving a shortfall in funding of approximately \$51.6 million. The Commission was able to self-fund \$1.1 million in 2021-22 and submitted a funding request to NSW Treasury for the remaining \$50.5 million. The main drivers of the funding shortfall included (but were not limited to):

- Funding to meet the minimum reliability and security posture of essential election infrastructure and systems required to conduct the election (renew expiring software licensing, replace obsolete IT equipment used to carry out the essential functions of election managers' offices and other election event operations; upgrade network services; upscale contractor resources due to the fragility of the systems and compressed timeframe to the 2023 State election caused by the postponement of the 2020 Local Government elections).
- Venue procurement and logistics cost increases (additional centralised services and larger venues due to projected increase in postal voting, above-CPI rental increases on many goods and services due to global supply chain issues and increased transport costs).
- Increased cost of the temporary election workforce (reliance on contractors to complement overstretched core staffing capability and capacity, expanded staffing model to fulfil work health and safety obligations and support staff wellbeing).
- Other essential costs to protect the impartiality and integrity of the election (cyber security; online systems for, and engagement of, candidates and parties; stable website performance).

In November 2021, the Joint Standing Committee on Electoral Matters (JSCEM) was given a reference to inquire into the adequacy of the funding allocation of the NSW Electoral Commission for the 2023 State general election. The Electoral Commission made a submission to the Inquiry, available on the NSW Parliament's website. During the course of the JSCEM inquiry, the NSW Government (Treasury) in its 2022-23 Budget approved the Electoral Commission's funding submission of \$50.5m. In its final report, the JSCEM concluded that the 2023 NSW State election was therefore adequately funded to conduct the 2023 NSW State election.

In 2022 a bill was passed to amend the Electoral Act to reduce the maximum period of early voting from 13 days to seven days preceding the election day. These amendments had cost implications for the Electoral Commission due to the increased numbers of venues, staff and equipment required to service these early voters over the shorter time period. An additional \$3.6 million in funding was approved by the NSW Government to the Electoral Commission from the Integrity Agencies contingency fund to cover these costs. This brought the total funding for the 2023 State election to \$144.3 million.

Table 1: 2023 NSW State election budget

	2023 (\$ million)
Budget	144.3
Actual	140.3
Under/(over)spend	4.0

2023 NSW State election expenditure

Expenditure incurred to conduct the 2023 NSW State election included operating and capital items. The actual cost of conducting the election came in at \$140.3 million, \$4 million under budget.

Table 2: 2023 NSW State election aggregated operating expenditure items

Expenditure item	2023 (\$)	2023 (% of total)
Election workforce	41,952,094	30%
Counting and results	11,380,415	8.11%
Election venues	12,704,844	9.06%
Logistics and supplies	6,054,120	4.31%
Communications and engagement	8,330,444	5.94%
IT systems	11,873,131	8.46%
Ballot paper production	4,530,730	3.23%
Core IT infrastructure	14,399,305	10.26%
Returning officers' office IT infrastructure	8,913,969	6.35%
Governance ¹	5,492,805	3.91%
Technology assisted voting ²	489,748	0.35%
Event readiness	2,906,692	2.07%
Elector enquiry centre	1,450,034	1.03%
Postal voting	4,659,316	3.32%
Compulsory voting ³	1,917,335	1.37%
Operating procedures (printing of materials and training)	1,222,591	0.87%
Candidates and parties (staffing and operations)	2,027,044	1.44%
Total	\$140,304,618	100%

Notes: 1. Governance includes data management, projections and metrics, payroll processing, payables processing, contracts management, budget reporting and Enterprise Project Management Office oncosts. 2. Telephone voting in 2023. 3. Compulsory voting includes processing non-voter notices and penalties, and event roll preparation.

Table 3: 2023 NSW State election opex/capex projects

Project	\$ million
Funding and Disclosure (FD) Online – capex	9.98
Voting Centre Device Refresh – opex	4.66
Total	14.64

Misinformation and disinformation

Participants in elections globally, including voters, have embraced social media to generate, source and distribute information about political issues and elections. This brings with it great benefit but also real risk, sometimes unreasonable expectations and increased responsibilities, both for online platforms and electoral commissions. False information circulating in the community about elections, including through different forms of media, can undermine confidence in the integrity of democratic processes and have broader negative impacts for social cohesion.

At the 2023 State election, the Electoral Commission implemented a number of strategies to mitigate the risks and preserve high levels of trust in our electoral system.

What is disinformation and misinformation?

Misinformation is false information that is spread due to ignorance, or by error or mistake, without the intent to deceive. Disinformation is knowingly false information designed to deliberately mislead and influence public opinion or obscure the truth for malicious or deceptive purposes.

In the lead-up to the State election, the Electoral Commission worked closely with its ECANZ colleagues and the Commonwealth's Electoral Integrity Assurance Taskforce (EIAT) to mitigate the risks of online misinformation and disinformation that is deliberately created with the intent to disrupt electoral processes. The major steps taken are set out below.

Disinformation register

For the 2023 NSW State election, the Electoral Commission placed a specific focus on countering the threats to election integrity from online disinformation and misinformation. In particular, an online *Disinformation Register*, modelled on a similar register used by the Australian Electoral Commission at the 2022 federal election, was established to track and rebut significant false and misleading statements about electoral processes in New South Wales.

Context of the Register

The NSW Electoral Commission provides reliable and accurate information to the general public, electors and political participants about NSW electoral processes. The Electoral Commission can investigate the compliance of electoral communications with legislative requirements and take enforcement action where breaches have occurred. It is a function of the Electoral Commission under section 10 of the Electoral Act to promote public awareness of electoral matters that are in the public interest by means of education and information programs.

The Electoral Commission has no role in enforcing truth in political advertising in NSW.

Structure of the Register

Each entry to the Register contained the following elements:

- Disinformation: A summary of the disinformation identified.
- Correct information: A summary of the relevant correct information.
- NSW Electoral Commission 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 seen.

Threshold for inclusion of entries on the Register

For an entry to be made in the Register, the relevant information must be assessed by the Electoral Commission as:

- concerning the administration or delivery of an electoral event or process for which the Electoral Commission is responsible under legislation
- objectively false or identified as a known tactic for spreading disinformation in a way that is deliberately leading to objectively false conclusions
- harmful to perceptions of electoral integrity for consumers of that information, and
- of significant enough reach or harm to potentially impact individuals outside of a small or closed communications community and their understanding of electoral processes.

Requirements for describing entries on the Register

To avoid amplifying the views of any specific individual or organisation during an election campaign period, or creating any perception of partiality, the Electoral Commission did not republish the disinformation itself. Instead, the Electoral Commission documented:

- the source of each piece of disinformation
- the summary of the issue; and
- the examples of Electoral Commission actions taken were expressed in generic (that is, non-identifying) terms on the Register.

Responding to reports received about disinformation

Members of the public and election participants were able to bring items they considered to be disinformation and misinformation about electoral processes to the attention of the Electoral Commissioner, through the Commission's website. These notifications were considered by the Electoral Commissioner, to determine whether the information should be included on the Register.

The Electoral Commission can only investigate and take enforcement action in relation to electoral material where there is a potential breach of NSW electoral law.

The Disinformation register is published on the NSW Electoral Commission's website.

Stop and consider campaign

The Electoral Commission ran an awareness campaign encouraging voters to consider the information they saw and heard that may have sought to influence their vote at the 2023 NSW State election. The campaign, called 'Stop and consider', ran from 13 February to 8 April 2023 across various digital and print media in New South Wales and provided voters with information to help assess potential mis- and disinformation.

The campaign was based on similar advertising by the Australian Electoral Commission for the 2019 and 2022 federal elections and the Victorian Electoral Commission for its 2022 State election.

The messaging encouraged voters to consider three aspects of any election-related information they received in any format on any communication channel:

- **Reliable:** Is the information from a reliable and credible source?
- **Current:** When was it published?
- **Safe:** Could it be a scam?

The campaign linked to the NSW Electoral Commissions' Disinformation Register.

The Stop and consider campaign included translated digital and print advertising in seven languages: Cantonese, Vietnamese, Mandarin, Arabic, Greek, Italian and Korean.

- Six animated videos, social media tiles, print advertising and supporting information featured on the NSW Electoral Commission's website.
- Social media advertising was placed on Meta platforms and Weibo in the same seven languages.
- Print advertising was placed in various in-language community news publications: An Nahar, El Telegraph, Australian Chinese Daily, Australian Chinese News Weekly, The Greek Herald, Allora, La Fiamma, Koori Mail, Korean Today, Weekly Korea Town, Viet News, ChieuDuong, Hanho Korean Daily, and O Kosmos.

The Stop and consider campaign was funded by a special purpose grant from the then Department of Premier and Cabinet, so can only be run again if further additional funding is provided for that purpose.

ECANZ Statement of Intent concerning online platforms

The Electoral Commission was closely involved in the development of the 2022 *ECANZ Statement of Intent...concerning electoral management arrangements with online platforms for Australian elections*, which formed the basis of interactions with some social media organisations prior to the 2023 election.

This Statement of Intent sets out how Australian electoral commissions propose to work with online platforms to address breaches of electoral and related laws that apply to the online environment; and breaches of the online platforms' own terms of service where these relate to the integrity of electoral processes. The Statement of Intent emphasises the national importance of online media to the integrity of election events, while encouraging electoral commissions and online platforms to negotiate directly about specific operational arrangements. In the lead-up to the March 2023 election, the Electoral Commission again engaged with some of the main platforms to agree specific processes for requesting the removal of material that was either (i) unlawful under NSW electoral legislation, or (ii) not unlawful but may have adversely impacted the successful delivery of an election and had breached the platform's own terms around personal safety or mis/disinformation about elections.

The Electoral Commission does not have a specific power to order or direct an online platform to take-down published material. We note, however, that the Australian Government released a consultation draft *Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill* in the months following the State election. If passed, that Bill would give significant new regulatory powers to the Australian Communications and Media Authority. ECANZ and its members have engaged in that consultation process as it relates to the delivery and regulation of elections and the Electoral Commission will continue to monitor whether new regulatory arrangements will apply at future NSW elections as a result.

Disruption campaign against Electoral Commission

The administration of the 2023 State election by the Electoral Commission was itself the target of a disruption campaign. This was similar to recent experience overseas and in other Australian electoral jurisdictions. The disruptive activities appeared to be driven by supporters of particular election participants with links to sovereign citizen networks that have a strong online presence, with material often disseminated through closed social media groups. The theme of the campaign rhetoric, delivered with varying degrees of hostility, was generally ‘you can only trust the result of the election if we win’. Violent terminology was even used in online posts by a small number of candidates to impugn the personal integrity of the Electoral Commissioner.

The disruption did not just occur online. During the election, the Electoral Commission increased the presence of security guards in some voting centres and sought additional support from NSW Police. Election events open to the public such as the Legislative Council ballot paper draw and its final distribution of preferences required careful security assessment and planning, at a level not previously required. Security services were engaged at the Electoral Commission’s head office and other locations following attempts by members of the public to make personal contact with staff.

The transfer of full early voting ballot boxes to district election managers’ offices became a focus of particular commentary online. The Electoral Commission relies on temporary election staff from the local community in hundreds of voting locations to make their private vehicles available to assist in this ballot box transfer process. Some candidate supporters were encouraged to film these election staff undertaking these ordinary ballot paper box movements using their private vehicles. Some made verbal allegations, while following and filming staff, that they were committing criminal offences, which were then amplified after these recordings were posted online. Building on pre-election engagement with the main social media platforms, the Electoral Commission worked with social platforms to take down misinformation and images of identifiable election officials, including for personal safety reasons. Support and assistance were provided where possible to impacted staff.

Earlier in this report, a recommendation was made to give consideration to a new offence that would make it unlawful for a person to film, photograph or seriously harass an election official in the course of carrying out their duties. A criminal offence could be a strong public statement of support for continued orderly election administration and the integrity of the NSW electoral system and could potentially achieve three important public interest objectives:

- deter conduct that causes unacceptable distress to individual election officials and creates safety risks for all officials and potentially voters
- reflect community expectations that the contribution of thousands of election workers to democracy is valued and that the community should take reasonable steps to protect them from harm while performing their official duties
- support the continued reputation of the Electoral Commission as a trusted election administrator, which is central to a stable democracy.

It is regrettable that such a recommendation would need to be made but it is imperative that voters can safely participate in elections and that election workers are protected while delivering elections in New South Wales. The Electoral Commission appreciates that there is a constitutional freedom of political communication in Australia that can only be burdened by legislation where it is reasonable and proportionate to do so. In light of these clear threats to NSW election officials’ safety, threats to electoral integrity and the risks of broader impacts for social cohesion, it seems timely to consider what more can be done, including by way of a new offence.

Summary of election results

Legislative Assembly

Table 4: Legislative Assembly summary of results by affiliation

Affiliation	Seats won
Animal Justice Party	
Australian Labor Party (NSW Branch)	45
Informed Medical Options Party (IMOP)	
Legalise Cannabis NSW Party	
Liberal Democratic Party	
National Party of Australia – NSW	11
Pauline Hanson's One Nation	
Public Education Party	
Shooters, Fishers and Farmers Party (NSW) Incorporated	
Socialist Alliance	
Sustainable Australia Party – Stop Overdevelopment / Corruption	
The Greens NSW	3
The Liberal Party of Australia, New South Wales Division	25
Elizabeth Farrelly Independents	
The Small Business Party	
Independent	9
Total	93

See Appendix C for the list of candidates elected to the Legislative Assembly, Appendix E for the number of candidates nominated for each electoral district and Appendix F for the list of candidates nominated for each electoral district.

Legislative Council

Table 5: Legislative Council summary of results by affiliation

Group	Group/Party name	Seats won
A		0
B		0
C	Animal Justice	0
D	Labor	8
E		0
F	Socialist Alliance	0
G		0
H	Elizabeth Farrelly Inds	0
I	Liberal / National	7
J	Liberal Democrats	1
K		0
L	Public Education Party	0
M	Informed Medical Options	0
N	Shooters Fishers Farmers	1
O	Legalise Cannabis	1
P		0
Q	One Nation	1
R	The Greens	2
S	Sustainable Australia	0
T		0
U		0
	Ungrouped	0
Total		21

Groups A, B, E, G, K, P, T and U did not satisfy the legislative requirements for the use of a group name on the ballot paper.

See Appendix D for the list of candidates elected to the Legislative Council and Appendix G for the candidates who nominated for the Legislative Council.

Registration of parties and participants

The Electoral Funding Act prescribes the registration of candidates, groups and third-party campaigners for campaign finance purposes and the rules for the management and disclosure of political donations and electoral expenditure. The Electoral Act prescribes the process for the nomination of candidates, the registration of political parties and the rules that apply to electoral material.

Registration of political parties

A political party can apply to be registered at any time; although the Electoral Commissioner is not authorised to deal with an application for registration during an election period. Parties have to be registered for a minimum of 12 months before they can nominate candidates for an election. To receive the entitlements of registration, parties seeking to be registered for the 2023 State election had to be formally registered by 8 March 2022. The NSW Electoral Commission is required to publish information and documents in relation to each party that is [registered for state and local government elections](#). Fifteen parties were registered for the 2023 NSW State election, of which two were not registered before in NSW and two had been registered under different names in 2019. Parties registered for NSW state elections are also registered for NSW local government elections.

Table 6: Parties registered for the 2023 NSW State election

Registered party name	Registered abbreviation
Animal Justice Party	AJP
Australian Labor Party (NSW Branch)	Labor
Informed Medical Options Party (IMOP)	
Legalise Cannabis NSW Party	Legalise Cannabis Party
Liberal Democratic Party	Liberal Democrats
National Party of Australia – NSW	The Nationals
Pauline Hanson's One Nation	One Nation
Public Education Party*	
Shooters, Fishers and Farmers Party (NSW) Incorporated	Shooters, Fishers and Farmers
Socialist Alliance	
Sustainable Australia Party – Stop Overdevelopment / Corruption	Sustainable Australia Party
The Greens NSW	The Greens
The Liberal Party of Australia, New South Wales Division	Liberal
Elizabeth Farrelly Independents**	EFI
The Small Business Party	SBP

*Registered until 7 December 2022 as The Reason Party. **Registered until 21 December 2022 as The Open Party.

Registration of candidates, groups of candidates and third-party campaigners

Table 7: Registration – key dates

Activity	Date
Open of registration period for candidates, groups and third-party campaigners	Saturday, 23 March 2019
Close of registration period for candidates and groups	Wednesday, 8 March 2023
Close of registration period for third-party campaigners	Monday, 20 March 2023

Candidates and groups of candidates for a state election must be registered for the election with the NSW Electoral Commission for the purpose of lawfully accepting political donations and incurring electoral expenditure. Third-party campaigners must also register before making payments for any electoral expenditure incurred over \$2,000 in total.

Being registered for an election under the *Electoral Funding Act 2018* is a separate process to being nominated to appear on a ballot paper. For the 2023 NSW State election:

- 15 parties were registered with the Electoral Commission
- 865 candidates and 21 groups of candidates registered for electoral funding purposes
- 272 of the 865 candidates (31 per cent) registered prior to close of nomination
- seven of the 21 groups (33 per cent) registered prior to close of nomination
- 61 third-party campaigner registrations had been received by the close of the registration period.

Candidates who are not already registered are deemed to be registered once they are nominated and have disclosure obligations under the Electoral Funding Act, even if they only need to confirm they have not received any relevant donations or incurred expenditure for the election.

Of the 865 candidates who were registered for the 2023 NSW State election:

- 54 out of 292 Legislative Council candidates registered prior to close of registration
- 218 out of 573 Legislative Assembly candidates registered prior to close of registration
- 185 out of 722 party-affiliated candidates registered prior to close of registration
- 87 out of 143 independent candidates registered prior to close of registration period.

Not all candidates and groups that register are subsequently nominated, but all nominated groups and candidates are registered.

See Part two for detailed information about the registration and regulation of candidates, groups and third-party campaigners in relation to campaign finance.

Candidate and group nominations

The *Electoral Act 2017* sets out the process for the nomination of candidates, the registration of political parties and the rules that apply to electoral material. The *Electoral Funding Act 2018* prescribes the registration of candidates, groups and third-party campaigners for campaign finance purposes and the rules for the management and disclosure of political donations and electoral expenditure.

Table 8: Nomination – key dates

Activity	Date
Open of nominations	8am: Monday, 27 February 2023.
Roll preparation for confirming candidates/ nominators and authorised roll printing	6pm: Monday, 6 March 2023
Close of nominations	12 noon: Wednesday, 8 March 2023.
Announcement of candidates and conduct of ballot paper draw	10am: Thursday, 9 March 2023

Legislative Assembly nominations

Legislative Assembly candidates had to be enrolled in New South Wales as at 6pm on the day the writs for the election were issued – Monday, 6 March 2023.

Nominating candidates were not required to be enrolled in the district they were contesting. A candidate for the Legislative Assembly could be nominated in one of two ways:

- by a registered political party; or
- by 25 electors enrolled in the district being contested.

Candidate nominations and payment of the nomination deposit could be completed online (93 per cent of candidates lodged their nomination using the *Nomination Online Management System*). Candidates and registered political parties could alternatively lodge their completed paper nominations and nomination deposits directly with the NSW Electoral Commission or with the election manager for the district being contested.

For the 2023 NSW State election:

- 562 candidate nominations were accepted for the Legislative Assembly across the 93 electoral districts in New South Wales (568 candidates at the 2019 NSW State election).
- The Legislative Assembly districts with the most nominating candidates were Murray and Northern Tablelands, both with 10 candidates each.
- The Legislative Assembly districts with the fewest nominating candidates were: Charlestown, Drummoyne, East Hills, Keira, Kogarah, Mount Druitt, Newtown, Rockdale, Terrigal, Winston Hills and Wollongong, with four candidates each.

Table 9: Legislative Assembly nominations for NSW State elections (2003 to 2023)

Election year	Number of candidates	Change from previous election
2023	562	-1.06%
2019	568	5.19%
2015	540	8.43%
2011	498	-7.26%
2007	537	-18.63%
2003	660	-9.83%

Legislative Council nominations

As with candidates for the Legislative Assembly, Legislative Council candidates must be enrolled in New South Wales as at 6pm on the day the writ for the election is issued – Monday, 6 March 2023.

A candidate for the Legislative Council could be nominated in one of two ways:

- by a registered political party (the registered officer or deputy registered officer of a registered political party could nominate a candidate, provided the party had been registered with the NSW Electoral Commission for 12 months before the day of the close of nomination); or
- by 25 electors who were each enrolled in New South Wales as at 6pm on the day the writ for the election is issued.

For the 2023 NSW State election:

- 290 candidate nominations were accepted for the Legislative Council (346 candidates at the 2019 NSW State election).
- 21 groups of candidates were formed on the ballot paper (20 at the 2019 State election). Of those groups, 15 had a group voting square above-the-line (19 at the 2019 NSW State election), which requires a minimum of 15 candidates. Of the groups with a group voting square, 13 were groups of candidates nominated by a registered political party, one of which was a composite group (Liberal/The Nationals), while two were groups of independent candidates. The other six groups were independent candidates who appeared below-the-line only.
- there were 11 ungrouped independent candidates.

Table 10: Legislative Council nominations for NSW State elections (2003 to 2023)

Election year	Number of candidates	Change from previous election
2023	290	-16.19%
2019	346	-12.18%
2015	394	26.69%
2011	311	-6.61%
2007	333	17.25%
2003	284	7.58%

While not a requirement for nomination, the Electoral Commission collects (optional disclosure) some demographic information and other statistical data from candidates.

For the 2023 State election, of the 852 candidates (total of Legislative Assembly and Legislative Council candidate nominations):

- 352 candidates identified as female
- 498 candidates identified as male
- two candidates chose not to disclose gender information.

Nomination Online Management System

Ahead of the 2019 State election, the Joint Standing Commission for Electoral Matters recommended the introduction of an online system to make it easier for candidates and parties to submit their nomination forms. In response to this recommendation, the Electoral Commission developed an online nomination system for use at the 2019 NSW State election.

The *Nomination Online Management System* (NOMS) was further configured and developed for use at the 2021 NSW Local Government and 2023 NSW State elections. Key benefits of NOMS include:

- minimising errors and ensuring all compulsory sections of the nomination form have been completed
- candidates and registered political parties, administrators and groups manage the progress of their nominations
- nomination deposits can be paid online
- automated messaging between the NSW Electoral Commission and the candidate or party concerning the acceptance or rejection of each nomination.

An overview of NOMS was provided at a candidate information webinar held on 2 February 2023. The Electoral Commission subsequently provided individual training sessions and public 'drop-in' sessions to support candidates and registered political parties using the system. Ninety-three per cent of candidate nominations for the 2023 State election were lodged using NOMS.

Paper-based nomination processes remained available for candidates and registered political parties who did not wish to utilise the online system.

Further opportunities for improving NOMS will be considered for the 2027 State general election, noting that the system still requires a mix of electronic submission and “wet ink” signatures. For example, electronic signatures could not be introduced to NOMS for the 2023 State election due to system and resource limitations, but it is planned to explore this functionality for the 2027 State election, subject to further clarity being introduced into the governing legislation about the permitted use of e-signatures for nominations, including the child protection declaration that must accompany every nomination and must be signed.

Electoral material

Table 11: Electoral material – key dates

Activity	Date
Start of regulated period	Monday, 6 March 2023
Open of registration of electoral material	Wednesday, 8 March 2023
Online system for registration of electoral materials is available	Thursday, 9 March 2023
Registered electoral material available on NSW Electoral Commission website	8am: Monday, 13 March 2023
Close of registration of electoral material	5pm Friday, 17 March 2023
End of regulated period	6pm on Saturday, 25 March 2023

The regulated election period

The regulated election period for the 2023 State election was from Monday, 6 March 2023, to 6pm on election day Saturday, 25 March 2023.

Before the regulated election period commences, neither the Electoral Commission nor an election manager (or other election officials) can regulate the content of electoral material (other than the display, publication or distribution of material falsely appearing to have been authorised by the Electoral Commission or Electoral Commissioner, which is always an offence). During the regulated election period, all electoral material must meet the requirements of the Electoral Act.

Electoral material

During the regulated election period, all electoral material must meet the requirements of the Electoral Act. These include requirements regarding the content, type, placement and distribution of electoral material during that period. Electoral material means anything (including without limitation a how-to-vote card, poster or advertisement) containing electoral matter (whether in a tangible or an electronic form). Electoral matter means:

- any matter that is intended or calculated or likely to affect or is capable of affecting the result of any election held or to be held or that is intended or calculated or likely to influence or is capable of influencing an elector in relation to the casting of his or her vote at any election or
- the name of a candidate at any election, the name of the party of any such candidate, the name or address of the headquarters or campaign office of any such candidate or party, the photograph of any such candidate, and any drawing or printed matter that purports to depict any such candidate or to be a likeness or representation of any such candidate.

In addition, on election day, electoral matter also means any express or implicit reference to, or comment on:

- an election
- any local government council or any previous council
- any local government councillor or previous councillor
- the government, the opposition, a previous government or a previous opposition, of New South Wales or any other state or territory of the Commonwealth
- a member or former member of the Parliament of New South Wales or any other state or territory of the Commonwealth
- a political party, a branch or division of a political party or a candidate in an election, or
- an issue submitted to, or otherwise before, the electors in connection with an election.

Registration of electoral material

All electoral material to be distributed on election day by registered political parties, groups, candidates, and any other persons or organisations, had to be registered with the Electoral Commission.

It is an offence to distribute electoral material on election day unless the material has been registered. 'Distribution' also means leaving electoral material in a position and circumstances to indicate that it is intended to be available for collection by members of the public in a public place. Posters are not required to be registered but must comply with the other legislative requirements.

Online registration of electoral material

The NSW Electoral Commission's online system was used for the registration of electoral material for the 2023 NSW State election. The system enabled candidates, registered political parties, third-party campaigners and members of the public to register their electoral material (how-to-vote cards) online.

For the 2023 NSW State election:

- 1,336 pieces of electoral material were submitted for registration (1,319 in 2019)
- 989 pieces of electoral material were registered (959 in 2019), of which:
 - 251 items were for the Legislative Assembly only (138 in 2019)
 - 48 items were for the Legislative Council only (26 in 2019)
 - 589 items for both the Legislative Assembly and Legislative Council (705 in 2019)
 - 101 were considered as generic material (90 in 2019).
- 222 pieces of electoral material were rejected (360 in 2019), of which:
 - 70 items were for the Legislative Assembly only (95 in 2019)
 - 89 were for the Legislative Council only (14 in 2019)
 - 38 were for both the Legislative Assembly and Legislative Council (213 in 2019)
 - 25 were considered as generic material (38 in 2019).

- Registration of that electoral material was rejected for the following reasons:
 - 104 included misrepresentations of the ballot paper, e.g. party affiliation missing, incorrect spelling of candidate's names
 - 38 included incorrect voting directions
 - 71 included incorrect authorisation or the name/printer/address incorrect or missing
 - 9 did not include a translation of material in a language other than English, or the required declaration that the translation was accurate.
- 125 pieces of electoral material were withdrawn from registration (amount not available in 2019), of which
 - 14 items were for the Legislative Assembly only
 - 8 were for the Legislative Council only
 - 99 were for both the Legislative Assembly and Legislative Council
 - 4 were considered generic material.
- 111 persons who were not political parties, candidates or third-party campaigners submitted electoral material using the online system (100 in 2019).

All registered electoral material was displayed on the NSW Electoral Commission website from 8am on Monday, 13 March until the close of polling at 6pm election day Saturday, 25 March to allow the public access to the registered electoral material.

Other compliance requirements for electoral material

The NSW Electoral Commission may provide guidance on whether electoral material complies with electoral laws, but it does not provide legal advice. Election participants were encouraged to seek their own legal advice before producing electoral material if they had any concerns about its legality.

Political parties, candidates, their workers, individuals, organisations and community groups must also comply with any other laws about the placement, display or distribution of electoral material in relation to roads, telegraph poles, private and public property and other public spaces regulated by authorities such as local councils and public utilities.

Australian Communications and Media Authority broadcasting requirements

The Australian Communications and Media Authority (ACMA) publishes guidelines relating to the broadcast of political matter on radio and television. In particular, ACMA regulates the advertising blackout periods under Commonwealth law for elections, including for state general elections and by-elections. An election advertising blackout period applies to television and radio advertising and commercial television broadcast licensees, commercial radio broadcasting licensees, community broadcasting licensees, subscription television broadcasting licensees, and providers of broadcasting servicing under class licenses. It does not cover other mediums such as print, online services, social media, text messages or phone calls.

Voting options

The voting options (channels) available to electors for the 2023 NSW State election were:

- in-person voting before election day during the early voting period (subject to eligibility)
- by postal vote (subject to eligibility)
- in-person voting on election day
- declared facility voting at appointed venues
- telephone assisted voting for electors who are blind or have low vision.

Early voting and postal voting eligibility

An elector was eligible to cast an early vote or a postal vote if they were:

- outside of New South Wales on election day, or
- not, throughout the hours of voting on election day, within 8 kilometres of any voting centre, or
- throughout the hours of voting on election day travelling under conditions that would preclude the person from voting at any voting centre, or
- seriously ill or infirm, and by reason of such illness or infirmity was precluded from attending at any voting centre to vote, or
- approaching maternity and would be precluded from attending at any voting centre to vote, or
- at a place other than a hospital, caring for a person who was seriously ill or infirm or approaching maternity and by reason of caring for the person was precluded from attending at any voting centre to vote, or
- by reason of the person's membership of a religious order or his or her religious beliefs precluded from attending a voting centre or attending voting throughout the hours of voting, or
- by reason of his or her being kept in a correctional centre precluded from attending at any voting centre to vote, or
- working throughout the hours of voting on election day, or
- a silent elector, or
- within the meaning of the *Anti-Discrimination Act 1977*, a person with a disability, or
- of the belief that attending a voting centre on election day would place the personal safety of the person or of members of the person's family at risk.

Postal voting

Table 12: Postal voting – key dates

Activity	Date
Postal vote applications opened	Monday, 16 January 2023
Postal vote pack distribution to electors commenced	Monday, 13 March 2023
Postal vote applications closed	6pm: Monday, 20 March 2023
Both ballot papers and postal vote certificate to be completed at the same time and by no later than 6pm	6pm: Saturday, 25 March 2023 (election day)
Close of receipt of postal votes by the NSW Electoral Commission	6pm: Thursday, 6 April 2023

Postal vote applications

Electors could apply for a postal vote online, by downloading and printing an application form, or by contacting the Electoral Commission’s call centre. All postal vote applications were processed through the Centralised Postal Vote Count Centre (CPVCC) located in Sydney. Postal vote packs were distributed to electors from the week commencing Monday, 13 March 2023. Applications from 2,900 electors were rejected (see Table 13 for rejection reasons).

Table 13: Postal vote applications rejected (by reason)

Postal vote application rejection reason	Number rejected
Application cancelled at elector's request	9
Elector's declaration completed incorrectly	956
Elector incorrectly declared they are a silent elector	41
Postal address illegible or incomplete	16
Applications closed	1,568
Application not signed	213
Unauthorised application form used	97
Total	2,900

For the 2023 NSW State election:

- 540,208 postal votes were issued, this was an increase of 118 per cent from the 2019 State election where 248,229 postal votes were issued
- the electoral district with greatest number of postal votes issued: Ryde at 9,984
- the electoral district with least number of postal votes issued: Orange at 3,476
- the return rate at close of receipt of postal votes by the Electoral Commission at 6pm on Thursday, 6 April was 86 per cent (75 per cent at the 2019 state election, close of postal vote return was the Wednesday following election day)
- the scrutiny reject rate was 12 per cent (24 per cent for the 2019 State election).

Postal vote applications via candidates and political parties

Candidates and political parties often distribute postal vote application forms in the community, together with electoral material. While some election participants note that completed applications should be returned directly to the Electoral Commission, other participants include a pre-paid return envelope that is addressed to the participant. That is, the elector's postal vote application is first received by the participant before they pass it to the Electoral Commission. Over 74,000 postal vote applications of this kind were received from candidates and political parties at the 2023 State election.

The Electoral Commission observed practices at previous elections where application forms were modified to such an extent that the role of the sending election participant was obscured. In response, changes that were made to the postal vote application form approved for distribution by election participants for this purpose at the 2023 State election were:

- A uniform blank field was included in the design of the form for election participants wanting to include electoral material on the form itself, to increase transparency for voters about who was sending them the form. Some election participants instead chose to distribute the Electoral Commission's ordinary postal vote application form and enclosed separate items of electoral material.
- To improve privacy awareness of electors and election participants, a standard personal information collection notice was required for all applications. This collection notice included specific advice with respect to the distribution of postal vote applications by candidates and political parties, including noting that applications may be returned directly to the NSW Electoral Commission instead of an address provided by the election participant.

This new approach was designed to reduce the risk of an elector believing a postal vote application distributed by a candidate or political party had been sent to them by the Electoral Commission and was being returned directly to the Commission. It also better supported the privacy of electors by clarifying how their personal information may be treated if they returned their application via a candidate or political party. As previously noted in this report, however, the Electoral Commission believes further consideration of this matter is warranted by the Government and the Parliament to consider whether the practice remains aligned with contemporary privacy expectations.

Postal vote scrutiny

To comply with legislated requirements when casting a postal vote, an elector is required to complete a postal vote certificate. The postal vote certificate is unique to each elector, and includes the district in which they are enrolled, their name and enrolled address and other administrative information. The elector must sign and date the postal vote certificate in the presence of a witness. The postal vote certificate is also signed and dated by the witness. The initial scrutiny of postal vote certificates commenced on Monday, 20 March 2023. This included examination of the postal vote certificate and data entry of this information to determine if the accompanying ballot papers were to be accepted for further scrutiny. If accepted, election officials then removed the ballot papers and prepare the ballot papers for counting without examining the vote on those ballot papers.

Postal votes from 59,371 electors were not accepted for further scrutiny (see Table 14 for the rejection reasons).

Table 14: Postal votes rejected

Postal vote rejection reason	Number rejected
Elector's signature dated after election day	4,915
Elector's and witness' signature not on same date	5,467
Elector had already voted	329
Postal vote certificate not signed by elector	1,149
Postal vote certificate not signed by witness	10,881
Postal vote received after prescribed date	4,675
Security question answered incorrectly	4,279
Security question not answered	16,752
Signature did not match application	389
More than one of the reasons above	10,535
Total	59,371

Ongoing challenges for postal voting in Australia

Postal voting is an important voting channel for electors who are unable to attend in person to cast their vote.

The enfranchisement of postal voters in New South Wales relies on an effective and efficient letter delivery service. Any change to current letter delivery services must be carefully constructed to avoid negatively impacting the conduct of Australian elections. In March 2023, the federal Department of Infrastructure, Transport, Regional Development, Communications and the Arts published a *Discussion Paper Postal Services Modernisation* to inform development of balanced changes to ensure postal services meet the needs of the Australian community both now and into the future.

ECANZ made a submission in response to the *Discussion Paper* on behalf of all electoral commissions outlining the challenges for managing postal voting. Any change to current letter delivery services must be carefully constructed to avoid negatively impacting the conduct of Australian elections.

Overseas postal voters

As technology assisted voting was limited to telephone voting for electors who are blind or have low vision, postal voting was the only option for electors who were overseas for the 2023 State election. The Department of Foreign Affairs and Trade (DFAT) could not support voting in person at its overseas consular locations, having significantly reduced the number of locations at which voting was possible at the 2022 Federal election. In-person voting services for Australians overseas during the 2023 referendum will, however, return to pre-pandemic levels. The NSW Electoral Commission will consult with the Australian Electoral Commission and DFAT about overseas voting at the referendum when considering future arrangements for voting in person overseas at NSW State elections. Proposals for legislative change to simplify the administration of overseas voting are also recommended in this report.

For the 2023 NSW State election, the Electoral Commission issued 20,418 postal votes to overseas electors. Due to the limited legislated timeline for the production of ballot papers after the nomination of candidates and the election day, it was unlikely electors would receive their postal votes by the election day if ordinary international postal services were used. To mitigate this risk, overseas postal vote packs were sent by international courier.

DFAT assisted with the establishment of postal vote drop-off locations at a number of overseas consular locations. Of the international postal votes issued 5,706 (28 per cent) were received by the NSW Electoral Commission prior to the close of postal vote return date (including the 1,308 hand delivered by electors to the nine international drop-off locations).

International drop-off locations

Nine international locations were established as postal vote drop-off points for overseas electors: 1,308 postal votes were hand delivered to these locations.

Table 15: Postal votes returned to overseas drop-off locations

Location	Postal votes received
Hong Kong	634
London	252
New York	173
Ottawa	17
Paris	39
Rome	15
Singapore	89
The Hague	22
Berlin	67
Total	1,308

Early voting

Table 16: Early voting - key dates

Activity	Date
Early voting period opens	Saturday, 18 March 2023
Declared facility voting period opens	Monday, 20 March 2023
Declared facility voting period closes/Early voting period closes	Friday, 24 March 2023

For previous elections, the Electoral Act provided that the Electoral Commissioner could approve the days of early voting, with early voting commencing no sooner than the Monday after the close of nominations. In its report on the administration of the 2019 NSW State election, the NSW Parliament's Joint Standing Committee on Electoral Matters (JSCEM) recommended legislative amendments to shorten the early voting period to allow parties and candidates more time between the ballot draw and the start of early voting to register electoral material (Recommendation 1). The JSCEM recommended that the early voting period should start on the Saturday, seven days prior to election day. An amendment to the Electoral Act was made in November 2022 to implement this JSCEM recommendation.

As has been noted elsewhere in this report, there has been a continuing rise in the number of electors voting early over the last three NSW state elections. Similarly, though the early voting period for the 2022 federal election had been shortened from three weeks to two weeks, more electors in NSW voted early at that election than at the 2019 NSW state election. Accordingly, the NSW Electoral Commission anticipated there would be a greater rate of early voting than at previous NSW elections despite the introduction of a one-week early voting period. Even though the early voting period was shortened from two weeks to one week, there was a significant cost impact on the election due to the need to increase the number of venues, staff, materials and IT equipment to cope with the expected rise in early voters. The prediction of greater numbers of early voters proved to be correct. If the trend continues, this will lead to ongoing higher costs due to the need for more venues and more staff to service the shorter voting period.

To accommodate the predicted early voting demand at this election, the Electoral Commission increased the number of early voting venues by 42 per cent compared to the 2019 NSW State election and employed 1,500 additional staff.

For the 2023 NSW State election:

- early voting operated for six days, on Saturday 18 March 2023 and from Monday, 20 March to Friday, 24 March 2023
- there were 274 early voting venues across New South Wales (including 34 election managers' offices)
- 1,576,947 early votes were issued during the early voting period, representing 29 per cent of electors (at the 2019 State election, 1,020,330 early votes were cast, representing 19 per cent of enrolled electors).

Declared facility voting

Fifty-three nursing homes, convalescent homes, hospitals and aged care facilities in New South Wales were appointed by the Electoral Commissioner as 'declared facilities' for election purposes. For this election, following the COVID arrangements put in place at the 2022 federal election, only facilities that previously had 70 voters or more were offered mobile visits. Election officials visited these facilities before election day to allow residents to vote in person on site. Three visits had to be cancelled due to COVID-19 infections at the facility. Voting at declared facilities was restricted to the residents of that facility. The NSW Electoral Commission published a list of all locations on its website. Facilities that were not provided with onsite voting services were sent postal vote application forms and instructions. For the next general election, it is anticipated there will be broader availability with a threshold number of 10 voters estimated by the facility itself.

Interstate and New Zealand voting

Interstate early in-person voting was provided at Electoral Commission offices in each state and territory in Australia and in New Zealand at three New Zealand Electoral Commission offices – Auckland, Wellington and Christchurch. The NSW Electoral Commission thanks these Electoral Commissions for their valuable contribution to the successful conduct of this election.

For the 2023 NSW State election, early voting was offered by interstate, and the New Zealand, electoral commissions from Monday, 20 March to Friday, 24 March 2023, with 7,338 votes cast at these locations (see Table 17).

Electors voting interstate or in New Zealand were required to cast an ‘absent declaration vote’. This indicated that the elector was voting outside of their enrolled electoral district. As noted in the proposals for legislative change in this report, the NSW Electoral Commission recommends more appropriate provisions are adopted, similar to overseas voting provisions, to simplify the administration of interstate voting.

Table 17: Votes cast at interstate and New Zealand voting locations

Location	Number of votes
New Zealand Electoral Commission – Auckland	202
New Zealand Electoral Commission – Wellington	120
New Zealand Electoral Commission – Christchurch	123
Australian Capital Territory	1,951
Victorian Electoral Commission	1,703
Tasmanian Electoral Commission	581
Electoral Commission of South Australia	628
Western Australian Electoral Commission	815
Northern Territory Electoral Commission	236
Queensland Electoral Commission	979
Total	7,338

Telephone assisted voting

Table 18: Telephone assisted voting – key dates

Activity	Date
Open of registration and voting	Monday, 20 March 2023
Close of registration	Friday, 24 March 2023
Close of voting	1pm: Saturday, 25 March 2023

Technology assisted voting was provided only in the form of telephone assisted voting for electors who are blind or have low vision. Internet voting was not available or permitted.

To maintain the secrecy of a telephone vote, the NSW Electoral Commission established a two-step process: (i) registration and (ii) voting. A registration operator confirmed the elector's eligibility and personal details and issued a unique registration number. A second operator recorded the vote, using only the unique registration number to identify the elector. This separation ensured that the voting operator could not personally identify the elector. The voting operator verifies the accuracy of the preferences recorded by reading them back to the elector before placing the ballot paper in the ballot box. Voting steps were monitored from end-to-end by another election official to support the overall integrity of the process.

For the 2023 NSW State election:

- 849 electors registered for telephone assisted voting, with 830 of those electors casting a vote by close of voting.
- the busiest day of operation was Friday, 24 March (the day prior to election day), with 225 votes cast and 223 applications.
- The Electoral Commission has received some stakeholder feedback that the voting experience on the telephone could be improved further at future elections. Some voters reported being able to hear background noise from the call centre during the call, while others expressed a desire for reassurance from operators that they could take sufficient time to finalise their vote. This is valuable feedback that will be taken into account in designing the service at future elections.

Election day voting

Voting centres were open from 8am to 6pm on election day Saturday, 25 March 2023.

For the 2023 NSW State election:

- 2,476,904 electors voted on election day, representing 45 per cent of electors (for the 2019 NSW State election this was 2,910,477 electors, representing 55 per cent of electors)
- 2,246 venues appointed as voting centres on election day
- more than 21,000 staff were engaged to work on election day.

Three remote venues in the electoral district of Barwon were decommissioned in the week prior to election day due to staff shortages: Enngonia Public School, Weilmoringle Public School and Nevertire Hall.

Declaration votes over the voting period

Declaration votes were issued during early voting, declared facility voting and on election day.

Declaration vote types are absent (an elector voting in person at a voting centre not located in the district in which they are enrolled), enrolment (an elector enrolling for the first time, updating their enrolment information, or whose name does not appear on the roll) and name already marked as voted (an elector who appears on the roll to have already voted at the election [NAMAV]).

For the 2023 NSW State election:

- 445,190 declaration votes were issued, representing 8 per cent of electors (at the 2019 NSW State election, 433,362 declaration votes were issued, representing 8 per cent of electors).

Table 19: Declaration votes by type

Declaration vote type	Number of votes cast
Absent	322,134
Enrolment (including new, update and name not on roll)	122,607
NAMAV	449
Total	445,190

Voting method – optional preferential

Legislative Assembly voting

The method of voting in Legislative Assembly elections is optional preferential. To cast a formal vote, the elector must place the number ‘1’ in the square next to their first choice of candidate. They have the ‘option’ to show further preferences by placing the number ‘2’ in the square next to their second choice of candidate, the number ‘3’ next to their third choice candidate and so on. They may number as many or as few squares beyond their first choice of candidate as they wish, that is, an elector can vote for one, some or all of the candidates.

Legislative Council voting

Voting above the line

If an elector chooses to vote above the line, they must place the number ‘1’ in the group voting square for the group of their choice.

The elector may show further preferences by placing the number ‘2’ in the group voting square next to their second choice, the number ‘3’ in the group voting square next to their third choice and so on.

Voting below the line

If an elector chooses to vote below the line, they must vote for at least 15 candidates by placing the numbers ‘1’ to ‘15’ in the squares next to the candidates in the order of their choice. The elector may show further preferences, starting with the number ‘16’ and so on. When voting below the line, the elector is not required to vote for all candidates in a group before voting for candidates in another group.

Work health, safety and wellbeing

The Electoral Commission continued to mature its safety culture, embedding safer working conditions for election staff. A set of election work, health and safety principles (the Principles) was a key safety tool introduced for the first time at the 2019 State election and then refined for the 2021 Local Government elections. The Principles were further refined in the lead-up to the March 2023 State election.

The Principles describe mandatory safety controls that have been implemented primarily to reduce the risk of fatigue in our workforce associated with delivering a major event around constrained statutory deadlines. The Electoral Commission is aware that during voting and counting periods, particularly on election day/night, the chance of fatigue increases. Working (or traveling to and from work) while fatigued impairs functioning and therefore increases safety risks, such as the risks of accidents (including car accidents) or the risk of psychological injury. Election officials, including ongoing staff at head office, must necessarily work atypical hours during a state-wide event's peak operational period. Atypical, however, no longer means unreasonable in the election context. The Electoral Commission is considering its safety outcomes and experience at the 2023 State election and working on further measures to reduce risk at future elections. For example, practices that may have once been 'normal', such as working all night on election night and continuing to work on the days that follow, are no longer acceptable. It is also not feasible to duplicate all subject matter expert roles during a short operational period to provide for more flexible rostering. Developing a more mature safety culture and implementing process and staffing changes for future elections is a major work in progress and will likely require greater resource investment.

Work health and safety principles

The Electoral Commission's work, health and safety principles are designed to minimise the risks of fatigue and working in isolation during election events:

- Staff should not work in isolation.
- Staff should take sufficient breaks (30 minutes every five hours).
- Staff should have a minimum break of eight consecutive hours between rostered shifts.
- Staff should not work more than six consecutive days. To support this, no counting was scheduled for election Sunday, or any Sunday throughout the counting period.
- Staff should not work more than a 10-hour shift, with the exception of election day.
- All counting to cease at 10.30pm on election night (allowing closure of venues by 11pm and return of materials by midnight).
- Voting centre staff will not work past 11pm on election night without prior approval.
- Election staff should not drive more than one hour from their venue to a nominated material drop-off point.
- Election manager office staff will not work past 11pm on election night without prior approval.
- Staff returning materials to nominated drop-off point will not work past 12.30am.

The importance of adhering to our work, health and safety principles was regularly reinforced during staff inductions, training and debriefs. Posters were displayed in election venues. A *Fatigue Self-Assessment* tool was implemented prior to the 2023 NSW State election to assist workers to identify and assess their risks of fatigue and determine their fitness for work prior to undertaking extended hours.

Figure 1: Work, health and safety principles

NSW Electoral Commission EL.178

Work, health and safety principles



All counting will cease at **10.30pm** on election night.



Staff will take sufficient breaks (30 minutes every five hours).



Election Manager (EM) office staff will not work past **11pm** on election night without prior approval.



Return of material staff will not work past **12.30am**.



Voting centre staff will not work past **11pm** on election night without prior approval.



Staff should have a minimum break of eight consecutive hours between rostered shifts.



Staff should not work more than a 10 hour shift. With the exception of election day.



Staff should not work more than six consecutive days.



Staff will not work in isolation.



Election staff should not be expected to drive more than one hour from their venue to a nominated material drop off point.

Safety and wellbeing training

Prior to the 2023 State election, 10 head office staff members undertook certification in mental health first aid. This was a key strategy to reduce the impact of psycho-social hazards on people and productivity, supporting a mentally healthy workplace. Mental health 'ambassadors' were a point of contact for workers who experiencing a mental health issue or emotional distress.

To address potential manual handling injuries at election manager offices, posters were created showing safe ways of working and displayed to serve as a visual reminder and control measure. These posters provided simple instructions with visual examples of what to do and what not to do, to assist all employees and contractors to perform tasks safely.

The Electoral Commission continues to invest in its *Safety Culture and Leadership Program* in partnership with an external specialist safety provider. A group of senior leaders began a series of workshops and coaching sessions focussed on psychology-based safety leadership in February 2023. This increased awareness, combined with the focused management of WHS principles, assisted people leaders to effectively manage fatigue and risk in the voting and count centres.

Incident reporting and risk management improvements

Following a review of reporting procedures and processes at the 2021 NSW Local Government elections, improvements were implemented to ensure that incidents and injuries were reported as they occurred at the 2023 State election. Incidents from all recent elections have been reviewed to identify areas where improved controls are required to prevent recurring incidents. The Electoral Commission is prioritising the establishment of controls where the possibility of potentially fatal accidents and incidents can occur such as driving fatigued, forklift operations and working with electricity.

Incidents and injuries

Operational risks were identified and incidents were reported and monitored on a daily basis during the event.

Table 20: Incidents and categories for the reporting period 1 February to 15 May 2023

Incident category	Total
Incident reported – no injury involved	31
Injury requiring first aid treatment administered onsite	46
Injury requiring medical treatment provided offsite, at a hospital or medical centres	13
Injury requiring time off work	9
Injury to a member of the public	49
Near miss (no incident occurred)	2
Property damage	6
Total	155

For the 2023 NSW State election, the NSW Electoral Commission received 155 notifications of incidents for the period of 1 February to 15 May 2023. These included:

- 76 incidents involving the NSW Electoral Commission workforce
- 49 incidents involving electors
- 30 incidents involving contractors.

Slips, trips and falls continue to be the main incidents reported (43 per cent).

SafeWork NSW was notified of four serious injuries to NSW Electoral Commission employees. Three of those involved a slip, trip and/or fall and one involved a laceration. Incident investigations were completed with cause(s) identified, and appropriate corrective actions were implemented to eliminate or minimise the risk of these incidents reoccurring in operational processes for future elections. All SafeWork NSW notifiable incidents have been resolved and closed.

Workers' compensation claims

There were 12 workers' compensation claims lodged due to injuries sustained over the period 1 February to 15 May 2023.

Minimising COVID-19 exposure and risk

The NSW Electoral Commission has conducted elections through varying COVID-19 risk levels. At the time of planning (and subsequent delivery of the election) for the 2023 NSW State election, there were no public health orders in place in relation to the management of COVID-19. Nonetheless, with the virus still prevalent, protection measures were implemented to minimise the risk to electors, political participants, staff and the public of exposure to COVID-19. Contingencies were also in place to enable a rapid response to changes in circumstances and any associated change in directives of government authorities.

The NSW Electoral Commission's Health and Safety Working Group reviewed and published the *COVID-19 safety plan for elections*. To ensure that safety and wellbeing were maintained through the 2023 NSW State election period, the following measures were maintained to minimise risk and reduce potential exposure:

- requiring all eligible workers to be up to date with their vaccination status, with booster vaccinations strongly encouraged,
- instructing workers to inform managers if they had been exposed to COVID-19 and not to return to work,
- strongly recommending our election workers to wear a face mask even if not mandatory according to public health orders at the time,
- strongly recommending scrutineers to wear a face mask whilst inside any election venue,
- encouraging electors, political participants, candidate campaign volunteers and others to wear a face mask (a small supply of which were made available at election venues) whilst inside the election venue and requesting them to do so when queuing to enter, or gathering outside, an election venue, even if not mandatory according to public health orders at the time,
- regularly cleaning surfaces and items used often,
- encouraging physical distancing (1.5m) at election venues by managing electors, scrutineers, election workers and others during the issuing of votes and scrutineer activities,

- encouraging the use of hand sanitiser and the washing of hands,
- providing face masks for use by workers,
- where permissible and practical to do so, opening windows and doors within an election venue to encourage airflow,
- supply of Rapid Antigen Tests (RAT) tests at election managers offices.

There were no reports of COVID-19 infection that resulted in venue closure.

Staffing the election

Election workforce structures

Senior election officials

Senior election officials fill the positions of election manager and election manager support officer. There were 93 election managers, one per electoral district, for the 2023 NSW State election.

Election managers are the front line for the Electoral Commission's engagement in each electoral district with a diverse range of stakeholders, including election staff, candidates, other political participants, media, electors and the general public. Under the Electoral Act, the election managers exercise a number of important statutory functions.

A structured and competitive recruitment process conducted in 2022 built upon an existing highly capable and effective talent pool of more than 430 senior election officials, with role descriptions aligned to the NSW Government's Capability Framework. This talent pool is spread across New South Wales and is called upon to resource all state and local government elections and by-elections. The talent pool includes people who have election experience and others who have not worked at an election before but who meet the comparative assessment criteria. After 18 months in the talent pool, a person must be reassessed.

The Electoral Commission aims to place senior election staff in positions close to their residential address to minimise travel. For the 2023 NSW State election, one election manager was relocated to a district that was not able to be filled locally. Of the 93 election managers employed for the 2023 election, 52 were new to the role.

Election manager support centre

A support centre was established for the 93 election managers. It comprised 12 election manager support officers (EMSOs), assisted by three administration personnel and a support centre team leader. Each election manager support officer was allocated up to eight election managers. Of the 12 election manager support officers, nine had worked in the role at previous elections.

Over a 14-week period, more than 4,000 calls were received and more than 4,600 calls were initiated (through the main telephone system). The peak times for support was during the lead-up to election day and during early voting. The majority of calls were in relation to election manager office set-up, support helpdesks, staffing and office decommissioning.

Election officials

Election officials worked at election managers' offices, early voting centres and election day voting venues, conducted declared facility voting visits, and/or counted ballot papers. To meet our work health and safety requirement that staff should not work in isolation, a deputy voting centre manager was employed at every voting centre (early voting and on election day). This person assisted with the set-up of the centre on the Friday evening before election day and ensured appropriate breaks and support for the voting centre manager on election day and was available to support other staff breaks and absences.

A staffing model based on vote projections helped determine the number and type of voting centre staff appointed to each voting centre on election day. Vote projections are calculated using historical trends and population growth and movement. Other factors considered include community demographics (for example, culturally and linguistically diverse populations) and local events scheduled on election day (for example, festivals and concerts).

Table 21: Number of staff employed in various roles for the 2023 NSW State election

Role	Number employed	Responsibilities
Voting centre manager	2,622	The election official responsible for managing an early voting centre, or a voting centre on election day.
Deputy voting centre manager	2,623	Supports the voting centre manager on election day. Undertakes key election operational activities under the guidance of the voting centre manager.
Declaration vote issuing officer	6,285	The role responds to elector enquiries, determines the type of declaration vote issued to the elector.
Election official	9,708	The task of election officials is to issue ordinary votes, respond to elector enquires and manage queues (internal and external to voting centre). In response to COVID-19 we employed additional election officials to manage physical distancing requirements and conduct safe hygiene practices.
Office assistant	7,624	Reports to senior office assistant. Performs general office administration, packing and checking of election materials, issuing ballot papers during early voting, and counting ballot papers.
Senior office assistant	1,181	Senior office assistants manage key tasks during the election period including staffing and venue management, the secure receipt and return of election material, and managing counting and results.
Election manager	93	Appointed by the Electoral Commission as an election manager under section 81(3) of the Electoral Act 2017 to conduct an election for one or more Legislative Assembly districts. Duties include staffing the election manager's office, conducting the ballot paper draw and liaising with political parties, candidates and the public.
Total	30,136	

Note: The duration of employment varied. Some roles/people were employed for election day only, others included the early voting period, and some roles were engaged for several months spanning before and after election day.

Staffing centralised operations

To deliver consistency and efficiency in processing postal, declaration and Legislative Council votes, the Electoral Commission centralises these operations in a number of large Sydney venues. These venues demand significant specialised logistical and staffing planning and support. For the 2023 State election, four external recruitment agencies were engaged to provide staff to work at the centralised operations across six sites: Electoral Commission head office sites at Chatswood, and Elizabeth Street and Liverpool Street in the Sydney CBD; the Centralised Postal Vote Count Centre (CPVCC) at Carriageworks Eveleigh; the Centralised Declaration Vote Count Centre (CDVCC); and the Legislative Council Count Centre (LCCC) at the ICC Sydney.

Table 22: Number of staff employed at the centralised operations sites for the 2023 NSW State election

Role	Number employed
Helpdesk phone line operators, telephone assisted voting officials and various other head office based roles	241
Centralised postal vote count centre operations	512
Centralised declaration vote count centre operations	1,317
Legislative Council count centre operations	794
Logistics operations (including supervisors, forklift operators and pick-packers/manual handlers)	27
Total	2,891

Security services

Private security services were engaged across New South Wales during the election period to support the safety and wellbeing of election staff and the security of ballot papers being transported to count centres after election day. It was challenging, however, for the Electoral Commission to procure suitable services for all electoral districts and to manage the delivery of those services. The challenge was exacerbated at this election by the disruption of ballot paper movements and some local counting activities by members of the public, and online commentary about those activities, which was described earlier in this report. The Electoral Commission anticipates that additional investment will be needed to manage the physical security of staff and election materials and assets at the 2027 State election, as well as any major election events in the interim.

Recruitment and support of temporary election officials

A total of 30,136 members of the NSW community were engaged to work as temporary election officials at the election via an online expression of interest (see Table 21). A social media recruitment campaign was supported by press releases, community groups, schools, TAFE, colleges, universities, the NSW Aboriginal Land Council and many volunteer organisations across New South Wales to promote the opportunity to work at the election. The Electoral Commission worked with the Australian Electoral Commission to contact more than 70,000 of the AEC's database of election workers to encourage them to apply.

Employment help desk

An employment help desk operated from 31 October 2022 to 31 May 2023. The help desk was resourced during peak times by 12 staff and received almost 20,000 calls – of which, 10,778 were received during March 2023, and 687 calls (the most calls in a single day) were received on Tuesday 14 March. The help desk received 4,525 emails and sent 15,654 emails to applicants and staff.

Impartiality, eligibility and political neutrality

The Electoral Commission is committed to maintaining public confidence in the integrity of the electoral system and the impartiality of election officials. Applicants must be on the electoral roll to apply for work at an election. Election officials must not be members of a political party or engage in political activity.

Rates of pay

Temporary election staff are employed pursuant to the provisions of the *Government Sector Employment Act 2013*. Election staff for the 2023 NSW State election were engaged by the Electoral Commissioner under sections 15(2) and 81 of the Electoral Act.

Section 15(2) of the Electoral Act allows the Electoral Commissioner to determine the conditions of employment for persons employed on a casual basis in connection with the election, which includes determining fees payable for election officials. Section 81 provides for the appointment of election officials, election managers and voting centre managers by the Electoral Commissioner.

Workforce training

Online training was compulsory for all staff working at the election. The training covered the processes and procedures relevant to the election role being performed, and also included ballot paper security and workplace health and safety. Election managers, senior office assistant election material, senior office assistant counting and results, voting centre managers, early voting centre managers, supervisors in centralised count centres, and declared facility teams also participated in face-to-face training.

Workforce diversity and inclusion

The Electoral Commission embraces diversity and inclusion and is committed to creating a workplace that reflects the population of New South Wales.

More than 21,000 staff were engaged to work on election day. Of this number:

- 6,684 staff spoke a language other than English (which is a 48 per cent increase from the 2019 NSW State election)
- the five most prevalent languages spoken by staff were Hindi, Cantonese, Mandarin, Arabic and Tagalog
- 650 staff identified as being of Aboriginal or Torres Strait Islander background (which is a 31 per cent increase from the 2019 NSW State election)
- 742 staff advised that they are living with disability (which is a 27 per cent increase from the 2019 NSW State election), 141 of whom required reasonable adjustments to the workplace.

Table 23: Staff diversity for NSW State elections (2023, 2019 and 2015)

Election day staff and office assistants	2023 State election (election day officials only)	2019 State election	2015 State election
Speak a language in additional to English	27.53%	20.83%	20.63%
Identify as having Aboriginal or Torres Strait Islander background	2.58%	2.57%	2.02%
People with disability	2.57%	2.56%	Not recorded
New to election work	22.54%	34.31%	38.08%

Note: As self-reported.

Secondments from other electoral commissions

In total, 39 staff from the Tasmanian, Victorian, Western Australian, South Australian and the Australian electoral commissions were engaged for operational and support roles in areas including centralised count centres, social media, nominations, investigations, counting, telephone assisted voting, postal vote scrutineering. The NSW Electoral Commission thanks these staff for their valuable contribution to the successful conduct of this election.

Counting and results

Count processes

Legislative Assembly

Legislative Assembly ballot papers undergo the following counts:

- Initial count (the initial count is an indicative count only)
- Two candidates preferred count (another indicative count, which distributes the formal votes of other candidates to two selected candidates according to which of those candidates receives the highest preference on each of the other candidates' ballot papers)
- Check count (the check count is the official count, involving the data entry of all preferences on ballot papers into the Electoral Commission's computer count system which are used in the distribution of preferences)
- Distribution of preferences.

Legislative Council

Legislative Council ballot papers undergo the following counts:

- Initial count
- Check count (the check count is the official count, involving the data entry of all preferences on ballot papers into the Electoral Commission's computer count system which are used in the distribution of preferences)
- Distribution of preferences.

See Appendix B for an explanation of the Legislative Assembly and Legislative Council count processes.

Count timeline

Table 24: Counting key dates

Activity	Date
Completion of check counts for Legislative Assembly districts	Wednesday, 12 April 2023
Distribution of preferences for each district	Thursday, 13 April 2023
Declaration of results for each Legislative Assembly district	Friday, 14 April 2023
Distribution of preferences for the Legislative Council	Wednesday, 19 April 2023
Declaration of results for the Legislative Council	Thursday, 20 April 2023

Counting was conducted at the election managers' offices on election day Saturday, 25 March from 6pm to 10:30pm and on 27 March to 14 April (Monday to Saturday, excluding Good Friday) from 9am to 5pm.

All initial count and check count results were published progressively and displayed on the NSW Electoral Commission's [Virtual Tally Room](#).

Work health and safety during the count period

As mentioned previously, practices that may have once been accepted as 'normal', such as working all night on election night and continuing to work on the days that follow, are no longer acceptable. It is also not feasible to duplicate all subject matter expert roles during a short operational period to provide for more flexible rostering.

The Electoral Commission appreciates the public interest in the outcome of a general election being known as soon as is reasonably practicable, to bring to conclusion the caretaker period of executive government. This public interest consideration does not outweigh, however, the statutory duties on senior officers of all Public Sector agencies, including the Electoral Commissioner, to keep workers and visitors safe. While many statutory deadlines for a general election are not movable, the Electoral Act clearly provides a framework that contemplates counting may take more than one day.

The Electoral Commission's work health and safety principles outline controls that have been implemented primarily to reduce the risk of fatigue in our workforce. It is noted that on election day/night the likelihood of fatigue increases due to the hours our election officials are rostered to work. While the principles are in place to protect all staff, specific principles have a direct impact on the pace at which the count processes are conducted.

The principles provided that all counting on election night was to cease at 10:30pm, allowing closure of venues by 11pm and return of materials by midnight. In line with the principles, no counting was scheduled for election Sunday, or any Sunday throughout the counting period to ensure that staff did not work more than six consecutive days. However, despite observing a strict 10:30pm cessation of counting, many staff worked long hours on election day, which may have followed venue set-up the night before and in some cases on election day morning.

During the count period, the Electoral Commissioner released statements, published on the website, to explain the count timetable and the work health and safety principles underpinning it.

Progress of the count

Election night counting in voting centres

Counting of ballot papers cast on election day was conducted in each of the 2,620 voting centres on election night.

Table 25: Count type and number of venues completed on election night

Count type	Number of counts completed (venues)	Completed (%)
Legislative Assembly initial count	2,538	96.9%
Legislative Assembly two candidate preferred count	2,346	89.5%
Legislative Council initial count	2,169	82.8%

The remaining counts of ballot papers from voting centres were completed at election managers' offices from Monday, 27 March 2023. Legislative Assembly initial counts were completed on 31 March 2023. Legislative Assembly two candidate preferred count and Legislative Council initial counts were both completed on 3 April 2023.

The NSW Electoral Commission will review election night count processes at voting centres before the 2027 NSW State election to determine how a greater number of counts can be completed. Issues and options to be considered will include:

- Analysis of the voting centres at which initial counts and two candidate preferred counts of Legislative Assembly ballot papers were not completed, including circumstances in which counts were completed but not reported to the election manager, unexpected issues regarding staffing availability and the suitability of the locations for counting
- Analysis of voting centres at which initial counts of Legislative Council ballot papers were not completed, including further identification of voting centres at which greater resources are required to complete initial counts of Legislative Council ballot papers. Further consideration will also be given to voting centres at which initial Legislative Council counts may not be conducted.

Election night counting of votes from early voting centres

Ballot papers from every early voting centre were transported to election managers' offices for counting. The NSW Electoral Commission intended that staff in these offices would complete counts for 111 early voting centres on election night. Those 111 voting centres included 330,495 (or 21 per cent) of the 1,569,781 votes cast during early voting.

Table 26: Count type and number completed on election night of early votes

Count type	Number of counts completed	% completed
Legislative Assembly initial count	80	72.1%
Legislative Assembly two candidate preferred count	54	48.6%
Legislative Council initial count	17	15.3%

Remaining counts of ballot papers from early voting centres were completed on 31 March 2023.

The NSW Electoral Commission will review the early voting centre count process before the 2027 NSW State election to determine how a greater number of counts can be completed on election night. Issues and options to be considered will include:

- the size and suitability of premises used for election managers' offices for ballot paper counting, including whether to establish dedicated pilot ballot paper counting centres for counting votes from early voting centres
- not conducting an initial count of Legislative Council ballot papers from early voting centres on election night, which would enable more and larger early voting centre counts of Legislative Assembly ballot papers to be completed on election night
- noting that legislation could be amended to enable a trial permitting ballot papers from early voting centres to be removed from the ballot boxes and unfolded before 6pm on election day, so that counting can commence immediately at that time. Such initial processing is permitted under Victorian legislation.

Centralised count centres

Preliminary scrutiny of all postal vote and declaration vote envelopes, counting of all ballot papers from postal votes and declaration votes, and the check count of all Legislative Council ballot papers from early voting centres and voting centres, were completed at centralised count centres.

The published timeline for these operations was completed to schedule.

Centralised Postal Vote Count Centre (CPVCC)

Counting of postal votes was conducted on election day Saturday, 25 March from 6pm to 10:30pm and from 27 March to 18 April (Monday to Saturday, excluding Good Friday) from 8:30am to 5:30pm.

The CPVCC was located at Carriageworks in Eveleigh.

Centralised Declaration Vote Count Centre (CDVCC)

Counting of declaration votes was conducted at the CDVCC from 30 March to 18 April (Monday to Saturday, excluding Good Friday) from 7am to 10:30pm.

The CDVCC was located at the International Convention Centre in Sydney.

Legislative Council Count Centre (LCCC)

Counting of Legislative Assembly ballot papers was conducted from 27 March to 18 April (Monday to Saturday, excluding Good Friday) from 7am to 10:30pm.

The LCCC was located at the International Convention Centre.

Review of centralised count centres operations

While counting at centralised count centres was completed to schedule, the NSW Electoral Commission will review these operations before the 2027 NSW State election. Issues and options to be considered will include:

- External recruitment agencies engaged to supply staff for centralised count centres were unable to provide the expected number of staff, which required reallocation of resources to maintain the progress of the count.
- The number of Legislative Council ballot papers with multiple preferences was higher than predicted, based on previous voting trends, which required greater time to count and the reallocation of resources to maintain the progress of the count.
- Establishing dedicated ballot paper counting places for ballot papers from early voting centres, to increase the number of those votes counted on the election night and the speed at which the count of those ballot papers is completed.
- If initial counts of Legislative Council ballot papers are not completed at some or all voting centres on the election night, greater resources may be required at the LCCC to complete those counts.

Review of Legislative Council initial count process

To manage the counting process at the 2019 NSW State election safely, the Electoral Commissioner decided to limit sorting and counting of Legislative Council ballot papers to seven groups on election night. Limiting the participants in this initial count avoided NSW Electoral Commission staff and candidate volunteers working excessive hours on election day, while also providing stakeholders with an early indication of result trends. The seven groups were chosen on the basis that each had previously held seats in the Legislative Council. Some other groups raised concerns with the Electoral Commissioner, however, that their results were not being reported in the initial count on election night.

In its report on the administration of the 2019 NSW State election, the NSW Parliament's Joint Standing Committee on Electoral Matters (JSCEM) recommended that Legislative Assembly counts still be given priority on election night (Recommendation 26) and that the Legislative Council count not take place until those initial Legislative Assembly counts are complete (Recommendation 27). The JSCEM noted, however, its preference that an initial count of Legislative Council ballot papers happen on election night, if possible.

In August 2022, the NSW Electoral Commission invited Members of the NSW Parliament and registered political parties to provide feedback about the initial count process for the Legislative Council on election night. Two registered political parties made submissions. Submissions were also received from members of the public who have previously worked for the NSW Electoral Commission at state and local government elections in senior election official roles.

Three options were provided for consideration:

- not conducting an initial count of Legislative Council ballot papers on election night
- continuing with a limited initial count for a selected number of groups (as happened in 2019); and
- conducting an initial count for each group of candidates who have a group voting square (GVS) until 10:30pm. This is the same process as the initial count of Senate ballot papers at a federal election and for the NSW State election in 2015 and was the option preferred by the Electoral Commission.

Submissions made by registered political parties supported the Electoral Commission's preferred option. The NSW Parliament's Joint Standing Committee on Electoral Matters had also previously noted its preference that an initial count of Legislative Council ballot papers be conducted on election night, if possible. The Electoral Commissioner considered the preferred option was most likely to achieve the right balance between the public interest in having a transparent and accurate initial count process on election night and ensuring a safe working environment for Electoral Commission staff and political participants, including scrutineers.

The Electoral Commission will review the Legislative Council initial count process before the 2027 State election to determine whether a greater number of counts can be completed on election night while ensuring the work health and safety of staff and political participants.

Electoral district of Ryde recount

The Electoral Commissioner decided to conduct a recount of ballot papers for the Legislative Assembly district of Ryde. The discretion to conduct a recount is found in section 172 of the Electoral Act.

A request for a recount was made by the second-ranked candidate, and the Electoral Commissioner was satisfied there were factors relevant to this particular electoral district's election that meant a recount was appropriate before proceeding to declare the final results. These included:

- it was the first election under the new electoral district boundaries from the 2021 redistribution
- the margin between the first and second-ranked candidates was a similar level to the margin that would lead to a recount of a federal seat
- the margin of votes between the first and second-ranked candidates in this election was much smaller than the margin at the previous two elections for the district.

The recount supported the objects of the Electoral Act, including facilitating the fair and transparent conduct of elections in New South Wales.

All parties and candidates participating in the Ryde district election were notified of the details of the recount and the requirements in relation to their scrutineers' attendance. The recount took place on Saturday, 15 April 2023.

The recount re-examined each of the 55,281 ballot papers for the election, both formal and informal, to confirm that the preferences marked on each ballot paper had been accurately recorded in the Electoral Commission's computer count system. In accordance with the Electoral Act, the Electoral Commissioner was requested by scrutineers to make a determination of formality in relation to some contested ballot papers. In total, the Electoral Commissioner permitted a very small number of additional votes to be counted as formal, having inspected all such contested ballot papers in person in the presence of scrutineers. After the recount, the distribution of preferences was conducted again and the margin between the first and second-ranked candidates only increased from 50 votes to 54 votes. The accuracy of the original count was evidence of the operational excellence of the Electoral Commission and a credit to the temporary election workers who supported that election.

Enrolment and roll information

Table 27: NSW electoral roll details (based on the federal roll)

	As at 31 March 2023	As at 31 December 2022
Enrolment	5,536,461	5,504,731
Enrolment rate (a)	98.7%	98.3%
Estimated eligible population (b)	5,611,138	5,597,733
Estimated eligible but not enrolled	74,677	93,002

Notes: (a) Enrolment rates are not reported above 99.0%. (b) Estimated Eligible Population is calculated using ABS citizen population figures for 30 June 2021 (revised) and 30 June 2022 (preliminary) based on the 2021 Census, projected forward.

Provision of the list of electors

Legislative Assembly and Legislative Council candidates, elected members and parties

Section 49 of the Electoral Act entitles parties, members and candidates upon request to the NSW Electoral Commission to be provided with enrolment information for the relevant area.

Once nominated, Legislative Assembly candidates may request an electronic list of electors enrolled for the district for which they are a candidate; Legislative Council candidates may request an electronic list of electors for the whole of New South Wales. Section 49 of the Electoral Act also requires the Electoral Commissioner to provide registered parties, members of the Legislative Council and members of the Legislative Assembly a copy of the relevant enrolment information once every four years, or upon receiving a request from the party or member, but not more than once a year.

The list of electors contains the name and address of electors (the postal address where provided) and other particulars of electors entitled to vote in the election, but it does not contain the address of any silent electors.

Privacy and security of enrolment information

Recipients of enrolment information must protect the security and privacy of any enrolment information provided to them. Before being provided with a list of electors, recipients must undertake in writing to the Electoral Commission that they have adequate systems and procedures to preserve the security of that information. The Electoral Commission provides guidance to recipients about the minimum standards it would consider adequate but it does not have any role in auditing or investigating compliance with those standards unless there is an allegation of unlawful disclosure of the relevant information.

It is an offence for a candidate to use the list of electors other than for a purpose permitted in connection with their candidacy at the election. It is also an offence to disclose the list of electors other than for a permitted purpose, or to use the information for a commercial purpose, or to sell or offer the information for sale. There are significant penalties for candidates or others using a list of electors for any reason other than a permitted purpose.

At the 2023 NSW State election the NSW Electoral Commission received written requests from 12 candidates for the Legislative Assembly for copies of the relevant enrolment information for the areas being contested. These candidates had not previously received copies of the relevant enrolment information. Of the 12 requests, only six of the candidates completed the required documentation/undertaking. Only these six candidates received the requested enrolment information.

Venues

Inspection, selection and procurement of venues

The venue review and selection process began 18 months prior to the 2023 NSW State election. The 2021 redistribution of electoral districts necessitated an additional review to ensure venues were correctly aligned with new or altered districts.

Most venues are required for only one day (election day voting centres), others for a period of up to 10 days (early voting centres), election managers offices for three months, with extended leases on the centralised operations and count centres. While the Electoral Commission aims to maintain consistency of venues between election events (general and by-elections), the short-term nature of most of the leases means that repeat hire is not always possible, and the available venue supply is not always of an optimal standard. Feedback from staff, electors and political participants from previous elections was reviewed and venues identified as less-than-suitable were not re-hired where a replacement could be found. The Electoral Commission was able to procure several newly built or renovated facilities that offered superior accessibility and facilities for electors and staff.

Table 28: Venue count (by function) for the 2023 NSW State election

Venue type	Number
Voting centres	2,246
Early voting centres*	240
Election managers' offices	93
Centralised operations (Liverpool Street, Carriageworks, ICC x 2)	4

*Excludes venues where early voting services were offered by other Australian state/territory electoral commissions and also New Zealand; 34 election manager offices also functioned as early voting centres (not included in the early voting centre number)

The Electoral Commission selected the most suitable premises from those available. Venue considerations were extensive and included size, location, accessibility, amenities, street frontage, access for deliveries, internet connectivity and workplace health and safety. The ability to secure premises that met functional requirements presented challenges, particularly in negotiating agreements to enter short-term leases when the supply of premises is limited.

The rental market for commercial premises to be used as election manager offices was challenging for the 2023 NSW State election, with some offices having to be procured outside of the district they were servicing.

The procurement of early voting centres commenced earlier for the 2023 NSW State election than for previous elections to secure dates for popular community centres. This proved to be a successful strategy and improved venue accessibility and location. However, the legislated reduction in the early voting period from two weeks to one week required additional venues over that timeframe to cater for the demand for early voting. This was particularly the case in districts with high-volume early voting projections. Many of these additional venues had three-week minimum hire periods in place.

Traffic control

Third-party traffic control was used at four early voting locations and one voting centre on election day for the 2023 NSW State election. This was prompted by safety concerns raised by venue hirers and Election Commission staff due to nearby traffic congestion, construction activity and/or community events. This measure allowed the safe flow of vehicles, electors and members of the public in and around these venues.

Public schools as voting centres

The Electoral Commission has a Memorandum of Understanding with the NSW Department of Education for the use of public school premises as election day voting centres. The Department charges the Electoral Commission a fee for using school premises as voting centres and each school negotiates directly with the Electoral Commission about its own operational arrangements.

Table 29: Department of Education venues (by accessibility) for the 2023 and 2019 State elections

Accessibility	2023	2019
Full wheelchair access	304	238
Assisted Access	888	914
No wheelchair access	140	203
Total	1,332	1,355

Public schools are generally well located and well known in communities, have the space, amenities and accessibility required and are available on Saturdays. Although it is a significant exercise negotiating access to public schools, they continue to be the backbone of election day venues making up more than half (59 per cent).

Venue accessibility

The Electoral Commission published on its website the accessibility level of every voting centre; that is, fully wheelchair accessible, partially accessible (assisted access) and not accessible (no wheelchair access). If partially accessible, a description of the accessibility is also listed. This enables people with disability to assess the venue is most suitable for them. A wheelchair accessible voting screen, maxi pens and magnifiers are provided at every voting centre.

Table 30: Venues by accessibility rating for the 2023 NSW State election

Accessibility	Election manager office	Early voting centre*	Voting centre
Fully accessible	38	115	594
Assisted access	48	120	1,453
No wheelchair access	7	5	199
Total	93	240	2,246

Note: Table excludes the four centralised operations venues and the seven venues where early voting services were offered by other state/territory electoral commissions in Australia.

For the 2023 NSW State election:

- 26 per cent of voting centres were fully accessible – no change since the 2021 Local Government elections, and an increase on the 2019 NSW State election (19 per cent).
- 48 per cent of early voting centres were fully accessible – an increase since 2021, however a decrease since 2019 (50 per cent) due to the extra number of venues required.
- 41 per cent of election manager offices were fully accessible – a decrease since 2021 (44 per cent), however an increase since 2019 (34 per cent).

Table 31: Comparison of venue accessibility at NSW State general elections (2023, 2019, 2015)

Venue type	Full wheelchair access			Assisted access			No wheelchair access			Total venues		
	2015	2019	2023	2015	2019	2023	2015	2019	2023	2015	2019	2023
Voting centre	414	414	594	1,486	1,486	1,453	314	308	199	2,214	2,208	2,246
Early voting centre	46	52	118	45	49	124	0	1	5	91	102	247*
Election manager office	28	32	38	65	59	48	0	2	7	93	93	93
Centralised operations	0	2	4	2	0	0	0	0	0	2	2	4
Total	488	500	754	1,598	1,594	1,624	314	311	211	2,400	2,405	2,589

*Includes the seven venues where early voting services were offered by other Australian state/territory electoral commissions.

Ballot papers, logistics and supplies

A State general election is one of the largest events in New South Wales, involving millions of electors, tens of thousands of staff, thousands of venues and a complex logistics and safety framework.

Ballot paper printing and distribution

For the 2023 NSW State election, a total of 30.58 million ballot papers (ordinary, postal ballot papers and out of area 'absent vote' sets) were printed and packed into 29,642 cartons for secure delivery. The movement of cartons was electronically tracked throughout the election process to ensure the security and integrity of ballot papers (see Ballot paper monitoring below).

Table 32: Ballot papers printed for the 2023 NSW State election

Ballot paper type	Quantity printed
Legislative Assembly	23,018,624
Legislative Council	7,561,900
Total	30,580,524

Table 33: Ballot paper cartons for the 2023 NSW State election

Ballot paper product	Number of cartons
Legislative Assembly	6,646
Legislative Council	16,370
Other districts Legislative Assembly box set	6,329
Other districts Legislative Assembly pad set	297
Total	29,642

Availability of paper stock

Prior to the ordering of paper for printing ballot papers for the 2023 State election, forestry related legal proceedings in Victoria meant that the Electoral Commission was unable to source suitable paper stock in Australia.

The Electoral Commission's requirement for this paper was subsequently met by Indonesian supply (PEFC Chain of custody certified, ISO 14001:2015). The stock was received on time and in quantities required (approximately 240 tonnes). While the Electoral Commission only incurred a minor increase to costs, the overseas procurement increased the risk to lead times and freight forward shipping. All printed items required for the election were supplied in time.

Ballot paper monitoring

A key logistics objective of the election was to monitor the movement of ballot papers throughout the election process. BallotTrack (a centralised track and trace online application) has been used since the 2017 Local Government elections and is reconfigured for each local and state general election.

Scanning devices at all 93 election manager offices and the two centralised count centres monitored the movement of ballot papers and cartons throughout the entire life cycle of ballot papers. Every Legislative Assembly and Legislative Council ballot paper carton was accounted for during the election.

Supplies

The NSW Electoral Commission approached other electoral jurisdictions and government agencies to borrow various supplies and equipment where feasible. For example, the Australian Electoral Commission provided plastic ballot boxes and envelope opening machines (to assist with the opening of returned postal votes).

Waste management

When providing electoral services, wherever possible the Electoral Commission seeks to use paper and cardboard items comprising recycled content and to plan that the paper and cardboard items are themselves recycled after use. For the 2023 NSW State election, standard cardboard items used in voting centres included voting screens, accessible voting screens, ballot boxes, caution signs and waste bins – approximately 108,600 individual items in total.

The products produced are eligible to bear the FSC® Mix 70% label which confirms these products are made of material from well-managed FSC®-certified forests, recycled materials and other controlled sources. Noting an estimated 160 tonnes of cardboard material have been used to manufacture these products, with an average recycle content of 64 per cent and the remaining balance comprising of virgin fibre material.

For the 2023 NSW State election, the NSW Electoral Commission introduced brown cardboard and non-branded supplies to reduce procurement costs compared with the previously supplied branded cardboard items and to increase the ability to share supplies with other electoral commissions. After the 2023 NSW State election, cardboard stores that could not be reused were recycled using onsite or local recycling facilities.

Ballot papers and other sensitive/high-security paper-based electoral materials are securely stored according to legislation. At the conclusion of the legislated preservation period (six months after election day) these items are securely shredded for recycling.

Collaboration with other agencies

The preparation and delivery of an election requires a high level of coordination and planning. To ensure access to specialist advice, relevant information and resources, the NSW Electoral Commission collaborated with key government agencies, including meeting regularly with participating agencies as a working group from November 2022.

Members of the inter-agency working group included NSW Electoral Commission participants as well as attendees from:

- NSW Health
- Department of Premier and Cabinet
- NSW Police Force
- Office of Local Government NSW
- NSW Department of Customer Service
- NSW Department of Education
- NSW Reconstruction Authority
- Australian Electoral Commission.

The main objectives of this inter-agency collaboration were to:

- raise awareness with relevant agencies of the scope, scale and timeline of the election in order to anticipate risks and impacts that could impact the successful delivery of the election
- consult with those agencies to implement appropriate and responsive measures to those risks
- receive specialist advice from those agencies regarding public safety, current health advice, intelligence and response actions to natural disasters and implement that advice into our processes and delivery planning.

The Electoral Commission also established a Security Assurance Panel in collaboration with Cyber Security NSW and the Australian Cyber Security Centre, which met regularly in the lead up to the election and on election day and was also supported during the event by the Commonwealth's Electoral Integrity Assurance Taskforce.

Voter analysis

Multi-voter analysis

Under the Electoral Act it is an offence to vote more than once in the same election. Schedule 6 to the Act also provides for the Electoral Commissioner to declare a person reasonably suspected of being a multiple voter to be a 'special elector' and be noted as such on any authorised roll or list of electors.

Following the 2023 NSW State election, the authorised printed rolls were scanned to identify people who voted, those who appeared not to have voted and anyone who appeared to have voted more than once on election day. Comparisons were then made against electors' names that were marked off the electronic roll (used at early voting centres). Analysis was carried out to identify those electors who may have voted using various early voting channels and perhaps also voted on election day.

The Electoral Commission's analysis showed:

- 1,023 instances of apparent double voting across the state
- one instance (Prospect electoral district) where an elector apparently voted three times
- one instance (Hawkesbury electoral district) where an elector apparently voted four times
- one instance (Coogee electoral district) where an elector apparently voted five times
- none of the eight individuals who, at the time of the election, had been declared as special electors apparently voted more than once.

The Electoral Commission confirmed that no instances of multi-voting had an impact on the election result.

In accordance with the Electoral Commission's Multiple-voter policy, electors whose names have been marked-off the roll more than once are:

- sent written notification from the Electoral Commission and reminded that electors are prohibited from voting more than once at an election
- informed of the laws in NSW that enable the Electoral Commissioner to declare a person a 'special elector' if it is suspected that the person voted more than once
- informed that their voting record at the 2023 State election may be taken into account should their name be marked off more than once again at a future election
- provided an opportunity to respond and advise where they voted at the election and disclose any other relevant information.

It is likely that the level of actual double voting is lower than the 1,023 instances that have been identified. This view is based on data from the 2019 State election. For example, in response to written notifications from the Electoral Commission, 75 per cent of the 419 voters apparent double voters who responded advised that they had voted only once.

The scale of apparent double voting at this election has also significantly declined overall from the 2019 State election, where 2,197 voters appeared to have voted twice. The Electoral Commission is still analysing what factors may have contributed to this decline but early indications are that the unavailability of iVote may be relevant. The following factors are relevant to this analysis.

- For the 2019 election, some double voters explained they were concerned they would be penalised for not voting if their online vote was not successfully received (16% of the 419 voters who responded to the invitation to provide an explanation).
- At the time of writing, 14 per cent of the 1,023 apparent double voters voted both by post and in person, suggesting there may also have been voters who were concerned about being penalised if their postal vote was not received in time to be included in the count.
- Of the 1,023 apparent double voters, only a small proportion (23 per cent) have apparently voted twice in person on election day. The biggest cohort of apparent double voting in person was people who voted once at an early voting centre and once on election day (48 per cent).
- In districts where more than half of the electors are from culturally and linguistically diverse backgrounds, the average number of apparent double voters was 19 compared to 10 in other districts. This may indicate that more education is required in these communities regarding both the need, and obligation, to vote only once (and through one voting channel) at an election.

Non-voter process

After every election, electors who are not recorded as having voted are sent an 'Apparent failure to vote' notice to determine whether or not the elector did vote. The NSW Electoral Commission has an obligation under the Electoral Act to issue Apparent failure to vote notices to electors who fail to vote in state elections in New South Wales and who do not have a valid reason. The penalty for not voting in a state election is \$55. The initial Apparent failure to vote notice gives recipients the options of:

- if voted, provide details of where
- if did not vote, provide sufficient reason
- if did not vote, pay the penalty (\$55)
- dispute the matter and have it heard in court. (A court may impose a penalty for an offence of failing to vote of \$110 plus court costs).

Responses are provided either in writing or through the non-voter self-service online portal.

Electors who do not reply to the initial failure to vote notice, or who do not provide an acceptable reason for their failure to vote, are sent reminder notices. Matters which remain outstanding, or for which the response is determined to be unacceptable, are referred to Revenue NSW. The revenue from non-voting fines is not retained by the NSW Electoral Commission but goes into the NSW Government's Consolidated Fund.

For the 2023 NSW State election, following the initial exclusion of all electors who were able to be identified by the NSW Electoral Commission as having a valid reason for not voting, 481,290 Apparent failure to vote notices were mailed to non-voters between 16 and 23 June 2023. As in past elections, it is likely that a significant proportion of these non-voters will have valid reasons for not voting and will be excused from paying the penalty.

Table 34: Apparent failure to vote notices for NSW state elections (2023, 2019, 2015)

Election year	Enrolment	Notices issued	Non-voter rate
2023*	5,521,688	481,290	8.72%
2019	5,271,775	384,879	7.30%
2015	5,040,662	368,740	7.31%

*The non-voter process for the 2023 NSW State election had not been finalised at the time of producing this report.

Initial, reminder and final reminder failure to vote notices are sent to non-voters. Once those non-voters have had an opportunity to respond, and when it is clear that no further responses are likely to be received, the outstanding matters are forwarded onto Revenue NSW for processing and enforcement. This must happen no later than 12 months after the date of the election.

To avoid missing future elections, voters are encouraged to sign up to the free election reminder service (elections.nsw.gov.au/remindme).

Communications campaigns and stakeholder engagement

Integrated communications strategy

The NSW Electoral Commission implements an integrated communications strategy, including advertising, media, direct communications and a stakeholder engagement program, to widely promote NSW State general elections. This helps ensure a transparent and trustworthy electoral process and supports people across NSW to participate in the elections and fulfil their obligations.

The NSW Electoral Commission's approach is to continuously improve information, communication and awareness, with a digital focus, by building on the work implemented at each election.

Communications goals for the 2023 NSW State election

- Voter turnout in the enrolled population is maintained.
- Increase voter turnout in areas with higher levels of non-voting and in populations with barriers to participation including people with disability, Aboriginal and Torres Strait Islander peoples, culturally and linguistically diverse populations and among younger people, as against the 2019 State general election.
- Stakeholders and electors are aware of the 2023 NSW State election.
- Stakeholders and electors are aware of the voting options at the 2023 NSW State election.
- Stakeholders and electors are aware of the impact of the 2021 redistribution outcomes on the 2023 NSW State election.
- Stakeholders and electors can find the information they need quickly and easily to participate in the 2023 NSW State election.
- Electors know to update their details on electoral roll or to enrol if not on the electoral roll.
- The people of NSW maintain trust and confidence in the democratic process.

Key audiences

The primary audience for the communications strategy was all residents of NSW above the age of 18.

In addition to this, the communications approach targeted all political participants, including candidates, political parties and third-party campaigners, audiences with barriers to participation in democracy, including Aboriginal people, people with disability, culturally and linguistically diverse populations and young people, as well as districts with a history of low voter turn-out.

Communications channels

A range of communication channels were used to reach and engage these key audiences.

Table 35: Paid, owned, earned and shared communications channels

Paid	Owned	Earned	Shared
<ul style="list-style-type: none"> • Television and Broadcast Video on Demand • Radio • Print • Digital – news and other websites • Social media advertising • Outdoor and out of home • Direct mail 	<ul style="list-style-type: none"> • NSW Electoral Commission websites • NSW Electoral Commission social media channels – Facebook, Twitter, LinkedIn and Youtube. • NSW Electoral Commission documents • Electronic direct mail • Direct mail (postal) • Webinars 	<ul style="list-style-type: none"> • Media engagement • Word-of-mouth • Stakeholder engagement and collaboration 	<ul style="list-style-type: none"> • Social media content shared by third parties.

Communications campaigns

A state-wide, voter awareness campaign was rolled out from mid-December that included changes to electoral district boundaries. In addition, a series of other advertising campaigns were implemented during the 2023 NSW State election period and integrated into the broader communications approach:

- Stop and consider disinformation campaign
- election workforce recruitment campaign
- redistribution of electoral districts campaign
- political donations education campaign.

Voter awareness campaign

Campaign approach

The 2023 NSW State election voter awareness campaign used a clear, informative, brand-focused approach to alert electors in NSW, interstate and overseas to their obligation to participate in the election and their voting options. The campaign ran from December 2022 to 25 March 2023.

The Electoral Commission delivered a campaign that combined a broad-based approach with targeted messaging and channels. This allowed the campaign to reach as many voters as possible, while also focussing on key audiences to improve voter turn-out and reduce barriers to voting. These audiences included:

- Aboriginal and Torres Strait Islander peoples
- people with disability
- youth
- culturally and linguistically diverse (CALD) communities
- voters in low voter turnout districts
- overseas and interstate voters.

Traditional TV, radio, outdoor and print advertising were combined with a range of digital channels to drive audiences to the NSW Electoral Commission website and deliver tailored messaging to key audiences.

Messaging

Messaging was developed to drive awareness of the 2023 NSW State election, ensuring NSW electors were aware of when, where, and how to vote. There was an emphasis on awareness of voting options to support changes in this space after the removal of iVote as a voting option. The successful “Get vote ready” campaign was retired after appearances at the 2019 NSW State election and the 2021 NSW Local Government elections and a fresh creative campaign was sought via a competitive commercial tender process.

The “Get ready, Get set, Go!” campaign messaging was delivered over three phases:

- Phase 1: Get ready – Check your enrolment, changes to electoral boundaries and save the date.
- Phase 2: Get set – Know your voting options and plan your vote.
- Phase 3: Go! – Early voting is open and election day is coming up.

Campaign results

Table 36: Results of the “Get ready, Get set, Go!” voter awareness campaign

Channel	Result
TV	TV advertising ran across the Nine, Seven, Ten, SBS, WIN, SAS and SCA networks during premium programming in the two weeks before the election. 38 per cent of the target metro audience saw campaign advertising at least once.
Radio	Radio helped reach key audiences, including people with disability, CALD and regional communities, with a total of 4,441 spots running across Phase 2 and 3 of the campaign. More than 72 per cent of the target metro audience heard the campaign advertising at least once .
Print	Print publications were used as an awareness driver across NSW in the lead up to election day with 99 insertions into 22 markets, four state-wide publications and 13 in-language publications.
Outdoor	Outdoor advertising targeted to metro, regional and CALD audiences delivered 53,100,000 impressions with a potential audience of more than 5,690,000.
Digital advertising	Digital advertising on audio, mobile, display and video platforms delivered more than 39,500,000 impressions.
Social media	Paid social media advertising delivered cost-efficient results, to targeted audiences with 93,917,455 impressions delivered overall across Meta, Snapchat, TikTok, WeChat and Weibo.

Stop and consider campaign

Campaign approach

The NSW Electoral Commission implemented the Stop and consider campaign from mid-February to the beginning of April to alert the public that not all the information available to them about the 2023 NSW State election would be true.

Based on a campaign of the same name run by the Australian Electoral Commission (with the concept also adapted for the 2022 Victorian State election), it ran across digital and print media in NSW, alerting people to the presence of disinformation on social media and news websites, where to seek accurate information, and encouraging them to report anything of concern to the NSW Electoral Commission.

The campaign was part of a multi-level approach to combatting electoral disinformation including the Disinformation register and social media management approach for this election. The campaign was funded by a special purpose grant from the then Department of Premier and Cabinet.

Messaging

The campaign encouraged voters to consider what they saw, heard, and read that may have sought to influence their vote or understanding of the electoral process. It also suggested taking time to consider if the information available was:

- **Reliable** – Was the information from a reliable or recognisable source? Did it come from an accredited media outlet or verified social media account?
- **Current** – When was the information published? Just because something was shared today does not mean it is current. Always check the original source and publication date.
- **Safe** – Could it be a scam? If you are suspicious of the information being shared, think carefully before engaging.

Campaign results

Table 37: Results of the Stop and consider campaign

Channel	Result
Print	Print publications were used as an awareness driver across NSW, particularly in regional markets, in the lead up to election day with 277 insertions into 67 markets and three state-wide publications.
Digital advertising	Digital advertising delivered more than 3,700,000 impressions.
Social media	Paid social media advertising delivered cost-efficient results, to targeted audiences with 24,807,213 impressions delivered overall across Meta, WeChat and Weibo.

Post-campaign research

Post-campaign research surveyed a representative group of 1,042 NSW eligible voters about the campaign:

- 16 per cent of survey participants recalled seeing the ads
- almost half of whom strongly agreed that the intended messages were communicated
- 73 per cent took action as a result of the campaign.

Political donations education campaign

Campaign approach

The NSW Electoral Commission has run several tranches of political donations public awareness campaign to educate people in New South Wales about political donations laws and specific changes that make cash donations over \$100 to political participants unlawful.

Another tranche of the campaign was run during the 2023 NSW State election period across digital and social media.

Messaging

The campaign let donors and potential donors know that important rules apply when making a political donation. It focussed on the following key pieces of information and encouraged people to find out more on the NSW Electoral Commission website:

- political donations paid in cash must not exceed \$100
- buying tickets or other items for a fundraiser could be a political donation
- giving free or discounted goods and services could be a political donation
- there are limits to the amount any political participant can accept from a donor in a financial year.

Campaign results

Table 38: Results of the political donations public awareness campaign

Channel	Result
Digital advertising	Digital advertising delivered more than 15,150,546 impressions.
Social media	Paid social media advertising delivered cost-efficient results, to targeted audiences with 5,751,925 impressions delivered overall across Meta, WeChat and Weibo.

Election workforce recruitment campaign

Campaign approach

New South Wales is divided into 93 state electoral districts and staff had to be recruited in each district in various roles to successfully deliver the 2023 NSW State election.

Many senior election staff were drawn from an existing talent pool. The campaign approach aimed to expand that talent pool with people who have not worked with the Electoral Commission previously. This particularly focused on attracting people with culturally and linguistically diverse backgrounds, Aboriginal and Torres Strait Islander peoples, and people living with disability and expanding the pool in regional and rural areas.

Two phases of the campaign ran in the lead-up to and during the election period. One phase in the lead-up to Christmas and one from February up until just before election day.

Messaging

The focus of the campaign was to encourage anyone eligible to express their interest in working at the election. Key messages were:

- Help deliver democracy. Work at the 2023 NSW State election.
- If you are over 18 and enrolled to vote, apply today.
- Paid short and longer-term positions available across NSW. All training provided. No previous election experience is required.

Campaign results

Table 39: Results of the election workforce recruitment campaign

Channel	Result
Digital advertising	Digital advertising delivered more than 20,500,000 impressions.
Social media	Paid social media advertising delivered cost-efficient results to targeted audiences with 14,926,443 impressions delivered overall across Meta.
Mobile advertising	Mobile advertising delivered 931,188 impressions to Aboriginal audiences.

Culturally and linguistically diverse approach to campaigns

All advertising campaigns run during the election period included tailored components directed at key language groups and Aboriginal and Torres Strait Islander audiences in New South Wales.

Advertising assets were translated, where needed, into seven languages, selected based the prevalence of the language spoken in NSW, cross referenced with how well English is spoken by those groups. Based on these criteria, Arabic, Cantonese, Mandarin, Greek, Vietnamese, Italian and Korean were selected.

Media plans were developed and implemented to reach each audience through the most appropriate media channels. Table 40 outlines the percentage of campaign spend, audience and channels for each campaign.

Table 40: Campaign spend, audience and channels

Campaign	Voter awareness and redistribution	Stop and consider	Election workforce recruitment	Political donations education
Spend and campaign audiences	13.5% of campaign spend: <ul style="list-style-type: none"> • Aboriginal people • Arabic speakers • Cantonese speakers • Italian speakers • Greek speakers • Korean speakers • Mandarin speakers • Vietnamese speakers 	25% of campaign spend: <ul style="list-style-type: none"> • Aboriginal people • Arabic speakers • Cantonese speakers • Italian speakers • Greek speakers • Korean speakers • Mandarin speakers • Vietnamese speakers 	27% of campaign spend: <ul style="list-style-type: none"> • Aboriginal people • Arabic speakers • Cantonese speakers • Italian speakers • Greek speakers • Korean speakers • Mandarin speakers • Vietnamese speakers 	15% of campaign spend: <ul style="list-style-type: none"> • Arabic speakers • Cantonese speakers • Italian speakers • Greek speakers • Korean speakers • Mandarin speakers • Vietnamese speakers
Advertising channels	Social, print, radio outdoor	Social, print	Social, inMobi	Social

Social media approach

The NSW Electoral Commission employed official social media accounts on Facebook, Twitter, Instagram and LinkedIn to support the delivery of the 2023 NSW State election. The approach actively engaged the voting public while managing issues as they arose throughout the election period.

NSW Electoral Commission channels

A daily schedule of social media content was rolled out across the NSW Electoral Commission’s social channels (Facebook, Twitter, Instagram and LinkedIn), amplifying messaging from the voter awareness, stop and consider, redistribution, political donations and recruitment campaigns, as well as more specific information about voting options, key dates, voter support and information for candidates, political parties, third-party campaigners and donors.

- 256 organic (non-paid) pieces of content were posted across the channels during the election period (7 February – 21 April) with a reach of almost 1.75 million users and 3,781 engagements.

Customer service and platform moderation

The NSW Electoral Commission channels were also used daily in the lead-up to election day to provide customer service support and respond to questions and issues as they arose.

- These channels received more than 8,000 inbound messages during the election period, 52 per cent on Twitter and 45 per cent on Facebook.
- More than 2,000 messages were responded to, spiking in the week of the election, at a rate 412 per cent higher than average (that is, in a non-election period).

Monitoring and community management

False information about elections circulating in the community has the capacity to negatively impact confidence in the electoral process and the results of elections. The NSW Electoral Commission undertook ongoing monitoring and moderation of social media during election period to manage the impacts of disinformation and misinformation.

Where the NSW Electoral Commission became aware of prominent pieces of misinformation or disinformation circulating on social media platforms or news sites, it was added to its *Disinformation register* and rebutted with the correct information in response to the posts. Ten items were included on the Register during the election period²⁵.

Media outreach

Proactive media outreach supported the election with a schedule of state-wide and localised media and radio releases promoting awareness of the election, how people could plan to vote on or before election day and key events in the election calendar, including the release of results.

- During the period 27 February to 17 April, 1,720 news articles or broadcasts mentioned the NSW Electoral Commission, with 1,120 mentions of the NSW Electoral Commissioner.

Responding to media enquiries

In addition to proactive media outreach, the NSW Electoral Commission responded to various incoming media enquiries, with topics changing in line with phases of the elections.

Table 41: Media enquiries received (via email)* during the period 27 February to 25 March

Topic/theme	Number of enquiries
General questions about the election and voting	46
Nominations/Candidates	31
Voting places/Pre-poll/Polling booths	50
Redistribution/changes to district boundaries	12
Disinformation	8
Request for electoral data	18
Electoral Material/How to vote information	24
Donation rules/disclosures/electoral funding	5
Results/Counting	20
Other	37

*Media enquiries received via telephone were not tracked but numbered in the hundreds.

Table 42: Media enquiries received (via email)* during the period 26 March to 21 April

Topic/theme	Number of enquiries
Results/Counting	32
Voting places/Pre-poll/Polling booths	2
Electoral Material/How to vote information	1
Disinformation	3
Donation rules/disclosures/electoral funding	3
Other	3

*Media enquiries received via telephone were not tracked but numbered in the hundreds.

Election reminder service

The election reminder service enables voters enrolled in New South Wales to subscribe to receive free SMS and/or email reminders about state or local government elections relevant to their enrolled address. The election reminder service is viewed as a key digital communication channel to promote election awareness and increase participation.

For the 2023 NSW State election:

- 303,298 emails and 294,458 SMS messages were sent on Tuesday, 14 March to remind electors about early voting and on Friday, 24 March 2023 as a reminder about election day.

The NSW Electoral Commission's website

The website is key to the Electoral Commission's customer-centred digital presence, to help voters, political participants and other election stakeholders understand and participate in the democratic processes of New South Wales. A key feature of the website for the 2023 State election was the ability to find information based on an elector's enrolled address. This included links to candidate information and an interactive map showing early voting and election day voting locations (with the accessibility features of each venue), and access to directions via Google.

Key metrics

- Total website page views for the 2023 State election increased considerably from the 2019 State election during the week leading up to each respective election day (8.6 million versus 5.7 million).
- The website reached 1.8 million users during election week, an increase of 25 per cent from the 2019 State election.
- The Disinformation register and the Stop and Consider campaign pages received 16,500 views. The average time spent on these pages was almost double (98 per cent more) than the average time spent on pages across the rest of the website.
- Information about early voting was the fourth highest page viewed (1.9 million views) during the month of the 2023 State election.
- The Candidate Handbook was provided in PDF format and (for the first time) developed into an online version, receiving 27,000 page views.

- Average page load time of 2.69 seconds was an improvement of 24 per cent from the 2019 State election.
- Bounce rates (22 per cent) and pages per session (10 per cent) both improved, indicators of more-engaged users.

Choice of device used

Mobile usage continues to be the dominant device of choice for users of the Electoral Commission's website:

- mobile phone 75.13 per cent
- desktop PC 22.4 per cent
- tablet 2.47 per cent (a decrease of 62 per cent from the 2019 State election).

Audience

The 25–34 age group remained the demographic with the highest number of website users; however, the largest increase was 18–24 years, with a 105 per cent increase from the 2019 State election. A similar trend was identified for the 2021 Local Government elections versus the 2017 Local Government elections.

Search

Safari (50 per cent) and Chrome (38 per cent) are the most frequently used browsers to access the site. The top onsite search queries for the election period were:

- early voting
- postal voting
- log in
- online voting
- overseas
- candidates
- results
- early voting centres
- change address.

Acquisition

- The majority of users (70 per cent) landed on the Electoral Commission's website through organic search engines, such as Google.
- Facebook/Meta was the dominant social media channel, with 65 per cent of all visiting users from social media.

Website performance

In addition to regular performance testing, further stress testing was undertaken (compared to the 2021 Local Government elections) to ensure the site was equipped to handle election-day traffic volumes. User experience testing sessions observed no performance issues. Third-party platform compliance scores throughout the election include:

- Search engine optimisation (SEO): 98 per cent compliance. This refers to indexed pages, metadata opportunities such as page titles, alt tag descriptions for images, correct use of heading hierarchy
- Quality assurance: 98 per cent compliance. This refers to broken links, broken images, potential spelling errors, readability, content with general issues.

Community engagement and resources

Identify, mitigate and eliminate barriers to participation

The integrity of democracy and representative government in New South Wales depends on high levels of participation by eligible voters. The NSW Electoral Commission aims to inform and engage all eligible citizens to participate in elections and understand the democratic process.

The Electoral Commission recognises some members of the New South Wales community face additional barriers to participation in democracy, including:

- people living with disability
- Aboriginal and Torres Strait Islander peoples
- people from culturally and linguistically diverse backgrounds
- people experiencing homelessness.

The Electoral Commission works closely with voters, communities and community organisations, peak bodies and advocacy groups to identify, mitigate and – where possible – eliminate these barriers. This work is vital to ensure all people have fair and equal access to the democratic and electoral process.

Election-related resources for these target audiences are created in consultation with the NSW Electoral Commission's reference groups and informed by post-election research.

Reference groups

At the time of the 2023 NSW State election, the NSW Electoral Commission had established two reference groups:

- Equal Access to Democracy (Disability) Reference Group
- Culturally and Linguistically Diverse Reference Group.

See Appendix H for reference group membership (current as at the 2023 NSW State election).

The Culturally and Linguistically Diverse (CALD) Reference Group and Equal Access to Democracy (Disability) Reference Group are made up of peak bodies and advocacy groups across New South Wales. The reference groups are established as a mechanism to provide guidance, information and feedback to the NSW Electoral Commission in relation to services for electors and to ensure that accessibility barriers to these services are identified and solutions to these barriers are reflected in the programs and services. This includes ensuring that a range of communication formats and channels are used to inform people about enrolment, elections and voting. Before each state-wide election the CALD and Equal Access to Democracy (Disability) reference groups are consulted about their member needs and briefed about any changes to legislation, regulations and voting that may need to be communicated to their members and networks.

General resources and communications

The NSW Electoral Commission produced five core community awareness videos for the 2023 NSW State election (published 9 January 2023 during the “Get set” phase of our awareness campaign).

- Voting at the 2023 NSW State election
 - Including information on enrolling, key dates, voting options and more.
- How to vote by post at the 2023 NSW State election
 - Details on how to apply for, and complete, a postal vote.
- How to fill out your ballot papers
 - Detailed information on how to correctly complete Legislative Assembly and Legislative Council ballot papers at the 2023 NSW State election.
- Enrolling and voting with no fixed address
 - Specific information for people experiencing homelessness and options for enrolling and voting.
- The 2021 redistribution of electoral districts boundaries and the 2023 NSW State election
 - About the recent redistribution process and how it impacted voter for the 2023 NSW State election.

These videos were supported by factsheets:

- voting at 2023 NSW State election
- the 2021 redistribution of electoral districts boundaries
- enrolling and voting with no fixed address.

Culturally and Linguistically Diverse communities – tailored resources

The NSW Electoral Commission creates, shares and promotes in-language communications and resources targeted at people from culturally and linguistically diverse backgrounds. For the 2023 NSW State election, language analysis was conducted based on 2021 census data for language spoken at home other than English – indexed with low English proficiency.

Assistance in-language

- The NSW Electoral Commission published on its website translated information for the top 26 languages in NSW (based on 2016 and 2021 census data).
 - The 26 languages are: Chinese Traditional, Vietnamese, Arabic, Chinese Simplified, Greek, Korean, Italian, Spanish, Macedonian, Turkish, Serbian, Khmer, Assyrian Neo-Aramaic, Croatian, Persian, Thai, Portuguese, Russian, Lao, Dari, Hindi, Indonesian, Bengali, Tagalog, Maltese, and Polish.

Translation of the five community awareness videos into seven languages

All five community awareness videos were translated (including voice over, on screen text and captions) into seven languages (published 30 January 2023 to coincide with the awareness campaign).

- Arabic
- Cantonese
- Greek
- Italian
- Korean
- Mandarin
- Vietnamese.

Vote Talk – produced in partnership with the Ethnic Communities Council of NSW

The Ethnic Communities Council of NSW (ECCNSW) is the peak body for all culturally and linguistically diverse (CALD) communities in NSW. For the 2023 NSW State election, the NSW Electoral Commission partnered with ECCNSW to deliver the *Vote Talk* program.

Vote Talk is a series of community-led education, engagement and communication initiatives on voting and elections. The aim is to provide targeted education, public podcasts and community conversations to raise the awareness of electoral processes and improve the voting practices and participation of CALD Australian citizens over 18 years of age. For the 2023 NSW State election, the Vote Talk program included:

- 24 in-language podcasts (across the top seven languages)
- community engagement sessions run by ECCNSW bilingual facilitators with 505 participants over 30 sessions in six languages.
- pre-recorded in-language messages on how to fill out ballot papers played on community radio.

“Vote here” in-language banner trial

Based on a Joint Standing Committee on Electoral Matters on the Administration of the 2019 NSW Election recommendation, the NSW Electoral Commission piloted in-language *Vote here* banners at selected voting centres.

Five languages in addition to English were selected for the in-language banners: Arabic, Traditional Chinese, Simplified Chinese, Vietnamese, and Greek. These were based on 2021 Census data.

The pilot was conducted at 10 voting centres in identified areas based on NSW Electoral Commission language analysis in electoral districts of Bankstown, Cabramatta, Auburn, Fairfield, Canterbury, Liverpool, Granville, Kogarah, Strathfield, and Rockdale.

Translated stakeholder packs

The NSW Electoral Commission produced translated stakeholder packs in the top seven languages, collating all in-language resources, key messages and assistance available to voters. These stakeholder packs were distributed to community organisations.

People with disability

Auslan video series

NSW Electoral Commission worked with Deaf Connect to develop an Auslan election videos series. These videos covered key information on the election, how and where to vote, postal voting and how to fill out your ballot papers. These videos were included on our 'Assistance in your language – Auslan' page, published 31 January 2023. Topics included:

- general information about the 2023 NSW State election
- postal voting
- voting in person
- filling out Legislative Assembly ballot papers
- filling out Legislative Council ballot papers.

Deaf Connect also developed a reminder video in Auslan about election day Saturday, 25 March, including information about the Auslan interpreting service through Skype. These resources were shared through their networks.

Auslan interpreting service

The NSW Electoral Commission offered an Auslan interpreting service through Skype, for early voting Saturday, 18 March (9am-5pm) and election day Saturday, 25 March 2023 (8am-6pm). Two Auslan interpreters were booked for each day, covering the opening hours of voting centres. Voters could access the service through Skype, by adding the account NSWelections Auslan or NSWelections Auslan2 and calling. The Electoral Commission can also be contacted via the National Relay Service (NRS) during standard office hours: Monday to Friday, 9am-5pm. Three calls were received on election day.

Audio description for awareness videos

Based on advice from Vision Australia, audio description opening messages were included on all five awareness videos. These were published on Youtube and the Electoral Commission's community resources web page.

Easy-read guides

Two easy-read guides were produced for the 2023 NSW State election. These resources were developed by the Council for Intellectual Disability (CID):

- Your right to vote – 2023 NSW State election
- Homelessness and voting.

Your right to vote video

The Council for Intellectual Disability produced a video tailored for people with intellectual disability about enrolling and voting at the 2023 NSW State election.

People experiencing homelessness

The NSW Electoral Commission developed several resources for people experiencing homelessness. These includes resources on enrolling and voting with no fixed address:

- an animated video (also translated into seven languages)
- a factsheet
- easy-read guide.

These resources were published on the Electoral Commission's website.

For the 2023 NSW State election, the NSW Electoral Commission worked with Newtown Neighbourhood Centre for community engagement. This included weekly in-person engagement at Newtown Neighbourhood Centre's 'One-stop-shop'. The One-stop-shop program connects people experiencing homelessness or at risk of experiencing homelessness with government services. One-stop-shop engagements occurred on 2, 9, 16 and 23 March 2023.

Aboriginal and Torres Strait Islander peoples

First Nations targeted factsheets covered the topics of:

- voting at 2023 NSW State election
- enrolling and voting with no fixed address
- redistribution of electoral districts.

These resources were shared with Aboriginal community organisations and Indigenous centres.

The NSW Electoral Commission conducted an information session on 20 March 2023 with Dharriwaa Elders Group in Walgett NSW about how to complete ballot papers.

Community resources page

The NSW Electoral Commission developed a community resources page for the 2023 NSW State election. This page included all resources available to organisations and community members to use and share with their networks, including awareness videos, easy read guides, fact sheets, and in-language information.

It also highlighted key messages, key dates, and how community organisations could help share information about the 2023 NSW State elections.

These resources were also distributed by the reference group members and identified target organisations to their respective members and networks.

Political participant and elector support

Participant helpdesk

From January 2023, an expanded helpdesk service was piloted (a “one stop shop”) to support candidates, groups, parties, associated entities, agents and third-party campaigners to understand their obligations for the conduct of the election and the regulation of electoral funding.

The helpdesk could be contacted between 9am and 5pm on weekdays by phone or by email. Client service officers were available over the weekend of the election and also on Saturdays during the nomination lodgement period. Enquiries covered all aspects of the election, including the process for nominating, registration of electoral material, registration of candidates and groups for the election, the rules that apply to political donations and electoral expenditure, making disclosures, voting or counting information.

During the period 6 January to 28 April 2023, the helpdesk received 7,391 incoming calls and responded to more than 3,100 emails.

Election bulletins for political participants

A total of 14 bulletins were issued from 30 August 2022 to 21 April 2023. The number of recipients increased over the period from 365 to 1,488.

Table 43: 2023 NSW State election bulletin dates and topics

Distribution date	Topics covered
30 August 2022	Proposed Legislative Council initial count process: review and feedback
4 November 2022	Election date; accessing information; webinar dates; nominating as a candidate; registering for funding and disclosure purposes; managing election campaign finances; public funding; new guidelines under the Electoral Funding Act
16 November 2022	Electoral legislation amendments; webinar dates; registration; political donations; disclosure of political donations and electoral expenditure; enforcement of electoral laws, postal vote applications, security and privacy of enrolment information
23 December 2022	Political donation disclosures; postal vote applications; Integrity hub and Disinformation register; webinar dates; candidate and electoral participant helpdesk; candidate handbook; Legislative Council initial count process
23 January 2023	Political donation disclosure dates; registering for funding and disclosure purposes; making political donations; postal vote applications; candidate handbook; online nominations; webinar dates; candidate and electoral participant helpdesk
6 February 2023	Nominations; political donation disclosure dates; webinar dates; postal vote applications, voting centre locations and projections

Distribution date	Topics covered
13 February 2023	Nominations; community education resources; Stop and consider voter awareness campaign; electoral campaign expenditure; postal vote applications; COVID-19 election safety plan; webinar dates
24 February 2023	Nomination lodgement period; registration for candidates and groups; political donation disclosures; electoral material; ballot paper draws and livestreaming; webinar dates
6 March 2023	Key election dates; voting options available to electors; information published on the NSW Electoral Commission's website; webinar dates; disclosure dates
10 March 2023	Registration of electoral material; voting centre locations and projections; 'six-metre rule' guidelines; pre-election day daily voting metrics; publishing of candidate details; webinar dates
15 March 2023	Registration of electoral material; early voting; postal voting; centralised voting and counting centres; candidate/party workers and scrutineers; compliance operations during the voting period; registration of third-party campaigners; capped expenditure period; pre-election donation disclosures; webinar dates
23 March 2023	Election day' counting and results; Disinformation register; distribution of preferences Legislative Council; webinar dates
17 April 2023	Legislative Assembly results; Legislative Council distribution of preferences; webinar dates; candidate helpdesk
21 April 2023	Election results; return of the writs; disclosure obligations after the election; campaign accounts; public funding payments; candidate information webinars; nomination deposit returns; reminder of the 2023 NSW State election participant survey

Information sessions

Weekly information sessions were held between 14 February and 7 March 2023. Election participants could ask questions about election operations and funding and disclosure obligations. Attendees were not required to register for these sessions – they were informal 'drop in' events conducted online via Teams.

Livestream events

Table 44: 2023 NSW State election Legislative Council livestream events

Date	Subject
10am Thursday, 9 March 2023	Legislative Council ballot paper draw
11am Wednesday 19 April 2023	Legislative Council distribution of preferences

Webinars for political participants

A series of online candidate information sessions were conducted by the NSW Electoral Commission in the lead-up to the 2023 NSW State election. Webinars included question-and-answer functionality where participants could ask questions live and receive responses. All webinars and the question-and-answer write-ups were published on the NSW Electoral Commission’s website.

Table 45: 2023 NSW State election webinar dates and topics

Date	Topic
27 September 2022	Election funding and disclosure: changes to electoral funding laws, Funding and Disclosure Online, registration, managing and disclosing political donations and electoral expenditure, campaign accounts, electoral expenditure, political donations, prohibited donors, disclosing political donations and electoral expenditure, pre-election donation disclosure period, enforcing electoral funding laws.
22 November 2022	Candidate information: electoral rolls, online services, registration of candidates, nomination process, ballot papers and ballot paper draw, campaigning, cash donations and disclosures, electoral material, compliance (allegations and offences), voting, postal voting applications, results.
2 February 2023	Nominations: nomination process, Legislative Council second preference groups, Nomination Online Management System.
14 December 2022 and 10 February 2023	Third-party campaigners (TPC): changes to electoral funding laws, TPC registration and official agent responsibilities, electoral expenditure caps (including state-wide cap), campaign account and record keeping, political donations and disclosures of donations, electoral material, registration of electoral material.
2 March 2023	Electoral material, compliance and voting: electoral material, registration of candidates and groups, early voting, candidate workers and scrutineers, telephone and postal voting, compliance overview, election day and night, results.
14 March 2023	Candidate workers and scrutineers: candidate workers and scrutineers, declared facilities, compliance overview.
21 March 2023	Counting and results: candidate workers and scrutineers, election day, counting and results.
26 April 2023	Post-election disclosure: disclosure obligations post-election, donations and expenditure rules for elected members and parties, public funding (ECF claims process).

Forum for Members of Parliament and registered political parties

A forum for Members of Parliament and registered political parties was also held at Parliament House on 17 October 2022. Attendees were provided information about key electoral funding dates and legislative changes, donation disclosures and electoral expenditure rules, candidates registration and nomination, key election dates and events, and election integrity.

Elector Enquiry Centre

The Elector Enquiry Centre (EEC) was established for electors who had questions about voting and other election processes. The primary call centre function was outsourced for the 2021 NSW Local Government elections, with the same provider being used for the 2023 NSW State election.

The EEC commenced live operations on Monday, 30 January and took its final call on Friday, 31 March 2023. During that period, the key call statistics were:

- calls offered 70,940
- calls answered 69,722
- average service level 89.76 per cent
- average wait time 19 seconds
- average handling time 4 minutes 13 seconds.

Supplementing the EEC was the Email and call Escalation Team (EET), client service operators who responded to calls escalated from the EEC due to their complexity and email enquiries during the election period.

The EET opened two weeks earlier than the EEC due to the expected calls about the redistribution of electoral districts. The EET operating dates were Monday, 16 January to Friday, 31 March 2023. The number of calls handled by the EET during that period was 21,726. Of those calls, 27 per cent were enquiries about postal voting.

The EET operators also responded to the enquiries received via the 'Contact us' webform on the NSW Electoral Commission's website. During the EET's operating dates the EET staff responded to 7,983 emailed enquiries. Of those, the most significant proportion (34 per cent) of enquires came from electors who were either overseas or were planning to be overseas at the time of the election.

Election evaluation and customer research

Objectives of the research

An external research provider was engaged to undertake research on behalf of the NSW Electoral Commission. This independent research aimed to:

- evaluate the election services provided by the NSW Electoral Commission
- identify opportunities for service improvement
- understand the information needs and election experience for a range of election stakeholders (eligible voters and political participants).
- develop actionable insights for future election communications, services and experiences.

Research methodology

A mixed methodology was utilised, with tailored approaches for all participant cohorts included in the research. The final methodology included:

- Core survey: A computer assisted telephone interview (CATI) conducted with 1,200 eligible voters.
- Voting centre in-person survey: A series of intercept interviews at selected early voting centres and election day voting centres with 878 voters who either self-completed on electronic devices or were aided to complete by interviewers.
- Postal voting survey: An online survey conducted with 273 voters who applied to use postal voting.
- Culturally and linguistically diverse survey: A CATI survey conducted in-language with three key language groups – Arabic (50), Mandarin (50) and Cantonese (50).
- Political participant survey: A series of surveys conducted with a total of 219 political participants including a post-election online survey where data was collected by the independent provider and shorter feedback surveys collected by the NSW Electoral Commission with participants involved in registration and nomination processes and who attended webinars.
- Qualitative research using semi-structured telephone interviews with 20 voters who used telephone voting, 20 voters who used postal voting and 20 voters who live with disability.

A supplementary survey was also conducted to specifically evaluate the use of in-language voting banners for culturally and linguistically diverse voters at selected voting centres. The NSW Electoral Commission also surveyed the temporary election workforce.

Key findings – overall satisfaction metrics

Electors (core) survey participants

- Satisfaction with the overall voting experience at 90 per cent (up from 84 per cent for the 2019 State election and 89 per cent for the 2021 Local Government elections).
- 90 per cent of participants in the core elector survey reported they were confident in the election results (up from 84 per cent for the 2019 State election and the 2021 Local Government elections).
- The key metric related to fairness and impartiality scored 85 per cent (up from 82 per cent for the 2019 State election and the 2021 Local Government elections).
- 81 per cent of survey participants reported that they trusted the voting process (no comparison available for the 2019 State election as this question was first asked at the 2021 Local Government elections, where it scored 77 per cent).

Postal vote survey participants

The online postal vote survey was conducted for the first time at the 2023 NSW State election. Participants were drawn from the sample of electors who used the online postal vote application system.

- 79 per cent of postal vote survey participants reported that they were satisfied with the overall voting experience.
- 87 per cent of participants in the postal vote survey reported they were confident in election results
- The key metric related to fairness and impartiality rated 70 per cent.
- 70 per cent of postal vote survey participants reported that they trusted the voting process.

Qualitative research with people living with disability, electors who are blind or low vision, and postal voters

Across the three elector groups, satisfaction was generally high, driven by five key factors:

- overall positive voting experience (when nothing goes wrong satisfaction is high, regardless of the voting method used)
- familiarity (electors voting by a familiar method know what to expect and therefore tend to view the experience positively)
- ease (for many electors in the surveyed groups, the process was simple, straightforward and easy to follow)
- independence (for electors living with disability, having voting methods that offer independence is viewed favorably)
- convenience (the choice of voting option enabled electors to choose the most convenient method).

Culturally and linguistically diverse (CALD) survey participants

- Significantly fewer Cantonese-speaking survey participants reported that they were satisfied with their overall voting experience (79 per cent) compared with Arabic-speaking (86 per cent) and Mandarin-speaking (96 per cent) participants.

Candidates and other political participants

- For the 2023 NSW State election, candidates and registered officers' level of satisfaction with their overall experience decreased to 67 per cent from 79 per cent at the 2019 NSW State election, but increased compared with 41 per cent reported at the 2021 NSW Local Government elections.
- Satisfaction that the 2023 NSW State election was conducted fairly and impartially at 78 per cent was an increase from 63 per cent at the 2019 State election and considerably higher than 48 per cent at the 2021 Local Government elections.
- 75 per cent of survey participants reported trust in the voting process. Comparisons are not available for the 2019 State election as the question was first asked for the 2021 Local Government elections where it scored 56 per cent.

For the political participant survey, the most commonly reported reasons for dissatisfaction related to systems and processes, particularly for new candidates and candidates without the administrative support structure of a major party.

The independent research report is published on the NSW Electoral Commission's website.

Appendices

Appendix A: Status of implementation of the recommendations of the report of the Joint Standing Committee on Electoral Matters, Administration of the 2019 NSW State election

Recommendation 1

The Committee recommends that the NSW Government consider legislative amendments to delay the start of the early voting period to allow parties and candidates more time between the ballot draw and the start of early voting to register campaign materials:

- the early voting period should start on the Saturday, seven days prior to election day, and
- early voting centres should be open 8am to 6pm during this period except for the Thursday when they should be open 8am to 9pm.

The *Electoral Legislation Amendment Act 2022* amended s 114(2) of the *Electoral Act 2017* to provide that the early voting period start on the Saturday, seven days prior to election day.

The particular days and hours during which individual early voting venues operate remain an operational decision for the Electoral Commissioner (as provided for in s 114(1) of the *Electoral Act*).

Recommendation 2

The Committee recommends that the NSW Government consider providing funding to the NSW Electoral Commission to allow information supplied to the Commission by candidates, as part of the registration process under the *Electoral Funding Act 2018*, to be integrated with the Commission's online nominations system.

No specific funding has been provided to date for this systems enhancement, but the proposal has been incorporated into the Electoral Commission's Digital Modernisation program. Applications for funding to the NSW Government, as part of the annual budget process, will be made to implement elements of that program. Whether this recommendation will be delivered will depend on whether the NSW Government supports the relevant digital modernisation business case for inclusion in a future annual appropriation.

For the 2023 State election, the Electoral Commission introduced non-technology process improvements to enable its client services teams to provide coordinated assistance for political participants when registering and nominating as candidates. Pending funding approval for the digital modernisation programme, an enhancement to the Electoral Commission's online registration portal will be considered to provide a clear link to the Nomination Online Management System (NOMS) and highlight the separate requirements for nomination.

Recommendation 3

The Committee recommends that the NSW Government amend the *Electoral Act 2017* and/or the *Electoral Regulation 2018* to provide that where nomination papers are lodged electronically with the NSW Electoral Commission electronic signatures are sufficient and there is no requirement for written signatures.

This recommendation was not implemented prior to the 2023 State election due to the limitations of the Electoral Commission's systems to adopt this change in time for the election. This proposal will be further examined as part of planning for the 2027 State election and would be assisted by further clarity in the legislation about e-signatures.

Recommendation 4

The Committee recommends that the NSW Government consider amending the *Electoral Act 2017* to require registered parties to provide one set of contact details for its endorsed candidates to be published on the NSW Electoral Commission's website, thereby removing the need for candidates of this class to provide their contact details on their nomination form.

These details are not presently published but an individual candidate's personal contact details still need to be provided to the Electoral Commission. These contact details are required to enable the Electoral Commission to engage directly with candidates regarding the nomination process as well as regarding their funding and disclosure obligations under the *Electoral Funding Act 2018*.

Recommendation 5

The Committee recommends that the NSW Government amend the *Electoral Funding Act 2018* so that a registered party no longer has disclosure obligations in respect of a candidate that it has dis-endorsed, once it has advised the NSW Electoral Commission of that dis-endorsement in writing.

This recommendation was implemented by the *Electoral Legislation Amendment Act 2022*, which added s14A to the *Electoral Funding Act 2018* to provide that, where a candidate in a state election is dis-endorsed by a registered party, a party agent may notify the NSW Electoral Commission that the party has dis-endorsed the candidate.

On and from the receipt of the notice by the Electoral Commission, the person responsible for making a disclosure for the dis-endorsed candidate is the candidate, and not the party agent of the registered party.

Recommendation 6

The Committee recommends that the NSW Government amend the *Electoral Funding Act 2018* to provide that the applicable cap for electoral expenditure by third party campaigners for State election campaigns is:

- \$1,288,500 for those registered under the Act before the capped state expenditure period, and
- \$644,300 in any other case, with these amounts to be adjusted for inflation as provided for in Schedule 1 of the Act.

This recommendation was implemented by the *Electoral Legislation Amendment Act 2022*, which amended s29(10) of the *Electoral Funding Act* to provide that application caps on electoral expenditure for third-party campaigners for a state general election are:

- \$1,299,500 – if the third-party campaigner was registered before commencement of the capped state expenditure period for the election, or
- \$644,300 – in other cases.

Recommendation 7

The Committee recommends that the NSW Government consider amending the *Electoral Funding Act 2018* so that travel and accommodation expenses are not captured as 'electoral expenditure' for the purposes of the electoral expenditure caps for NSW state election campaigns.

This recommendation was implemented by the *Electoral Legislation Amendment Act 2022*, which added s7(4A) to the *Electoral Funding Act* to provide that, for the purposes of Part 3 (Political donations and electoral expenditure), Division 4 (Caps on electoral expenditure for election campaigns), electoral expenditure does not include expenditure incurred on travel and travel accommodation for candidates and staff engaged in electoral campaigning.

Recommendation 8

The Committee recommends that the NSW Electoral Commission review the reliability of the electronic mark-off system before the next NSW State election and make any necessary changes.

In the lead up to the 2023 NSW State election, the reliability of the electronic mark off system used for early voting was improved, including by pre-loading the roll onto early voting centre laptops which have encrypted drives for security. Printed authorised rolls also are provided as an additional back-up to all early voting centres.

Recommendation 9

The Committee recommends that at every polling place in NSW that uses electronic mark-off for state elections, the NSW Electoral Commission implements a back-up system, such as a paper roll, to cover potential breakdowns of the electronic mark-off system.

Printed authorised rolls also are provided as an additional back-up to all early voting centres.

Recommendation 10

The Committee recommends that the NSW Government make legislative amendments so that where there is unauthorised use or disclosure of enrolment information collected under Part 5 of the *Electoral Act 2017*, individuals to whom the information relates are informed.

The Electoral Act has not been amended to give effect to this recommendation.

Recommendation 11

The Committee recommends that the NSW Electoral Commission collect data on the number of people issued with failure to vote notices following NSW State elections who in fact voted.

After each election, a number of failure to vote penalty notices are subsequently withdrawn on the basis of claims by electors that they had in fact voted. While those claims are accepted by the Electoral Commissioner as sufficient for the purpose of withdrawing a penalty notice, they do not necessarily establish that a person did in fact vote. Accordingly, it is not possible to collect data on the number of people issued with failure to vote notices who actually voted.

After the 2019 State election, 384,879 penalty notices were issued for apparent failures to vote. Of those, 150,064 in total were withdrawn, with 10.5 per cent of those notices being withdrawn on the basis that the elector claimed to have voted. The non-voter process in respect of the 2023 State election is currently in train.

Recommendation 12

The Committee recommends that the NSW Government amend the Electoral Act 2017 to require party logos to be included on the ballot papers for the Legislative Assembly and the Legislative Council.

This recommendation was implemented by the *Electoral Legislation Amendment Act 2022* (see Schedule 2 regarding party logos on ballot papers) These amendments to the Electoral Act, which commence on 1 October 2024, did not apply for the 2023 NSW State election.

Recommendation 13

The Committee recommends that the NSW Electoral Commission conduct a review of the number and location of early voting centres in NSW prior to the 2023 State election to ensure an appropriate level of accessibility.

Of the 274* early voting centres procured for the 2023 NSW State election, 134 were 'Fully wheelchair accessible' and 135 were designated as 'Assisted access', meaning wheelchair access was possible with assistance. Overall, 94 per cent of electoral districts had at least one fully accessible early voting centre. (* this includes 34 election manager offices that were used for early voting.)

A comprehensive review of all early voting centres is conducted prior to each election event to assess their suitability and viability. The accessibility, location, physical condition and voting trends for each venue are reviewed along with changes in the number of eligible electors enrolled in the surrounding area.

Procuring suitable venues for early voting at the 2023 NSW State election was more challenging for the Electoral Commission than for any previous election. This was due to three main factors:

1. the continuing increase in early voting at NSW elections
2. the reduction of the early voting period from 11 voting days to six voting days; and
3. the limited availability of suitable voting venues for early voting across the state, driven by the impacts of COVID-19 and other property market factors on the available supply of commercial properties.

In addition, and for the first time at a state general election, of the 93 election managers' offices that were procured, due to the lack of other suitable venues:

- two offices were shared for adjoining electoral districts
- two offices had to be located outside the relevant district
- only 34 offices could facilitate early voting, whereas at the 2019 NSW State election all election managers' offices conducted early voting.

A comprehensive review of all early voting centres is conducted prior to each election event to assess their suitability and viability. The accessibility, location, physical condition and voting trends for each venue are reviewed along with changes in the number of eligible electors enrolled in the surrounding area.

Recommendation 14

The Committee recommends that the NSW Electoral Commission publish a finalised list of declared facilities, and the dates they will be visited, on its website, prior to the start of the early voting period.

A list of declared facilities was published on the Electoral Commission's website, under *Information for Candidates* on 6 February 2023. Election managers also provided this information to candidates upon request.

Prior to the start of the early voting period it is not possible to publish confirmed dates on which visits by election officials will occur, as these can be difficult to confirm with the individual declared facility. Declared facility visits are managed at a local level by election managers and the agreed dates may change due to circumstances at an individual facility; for example, in response to health issues at the facility. Due to these unique challenges with declared facilities, confirmed visit dates cannot be published in advance and are subject to change at late notice.

Recommendation 15

The Committee recommends that the NSW Government consider funding the NSW Electoral Commission for the development of an online portal for the submission and tracking of postal vote applications.

The NSW Electoral Commission analysed the functionality required for a self-service portal for postal vote applications, of similar functionality to that operated by the Australian Electoral Commission. It was determined that development of a new system would be more effective than including additional functionality in the existing online postal vote application system. There was insufficient time and resources to develop such a system due to other information systems priorities, including enhancing the performance and reliability of the Electoral Commission's key, but aging, election systems.

The NSW Electoral Commission will seek additional funding to develop the online portal for postal vote applications for use at the 2027 State election.

Recommendation 16

The Committee recommends that the NSW Electoral Commission review its guidelines and systems for processing postal vote applications and communicate clearly with stakeholders about the requirements for submitting applications, to avoid any processing errors occurring in the future.

The following processes were implemented at the 2023 NSW State election in relation to postal vote applications.

Postal voters:

- detailed instructions were published on the Electoral Commission's website to instruct electors on how to apply and how to complete the application, both paper-based and online
- an instructional video about postal voting was produced that included information about how to complete the application
- the application form included detailed instructions on how to complete an application
- a QR code was embedded within the paper application to direct electors to the online system with the aim of reducing the number of rejected applications.

Candidates and parties:

Advice was provided by way of bulletins and webinars addressing the following:

- election participants who intended to distribute electoral material with a postal vote application attached were advised to provide the artwork for this material to the Electoral Commission for review, to ensure it satisfied the legislative requirements and therefore could be accepted as a postal vote application
- election participants who sent through artwork for review and indicated they would conduct a postal vote application mailout were contacted directly by the Electoral Commission to facilitate the timely return of postal vote applications they received.

Recommendation 17

The Committee recommends that the NSW Electoral Commission facilitate a thorough review, upgrade and testing of the iVote system well in advance of the 2023 NSW State election, in consultation with all relevant stakeholders to ensure optimal security, reliability and accessibility.

On 15 March 2022 the Electoral Commissioner determined under s 162 of the Electoral Act and s 333L of the *Local Government (General) Regulation 2021* not to use iVote as a form of technology assisted voting (TAV) at the 2023 NSW State election or at any intervening by-elections between 1 July 2022 and 25 March 2023.

For the 2023 NSW State election, the *Electoral Legislation Amendment Act 2022* limited the availability of technology assisted voting to telephone voting for electors who are blind or have low vision: cl 14 of Sch 7 to the Electoral Act.

At the time of preparing this report, the Electoral Commissioner is reviewing options for technology assisted voting in New South Wales for the general election in 2027 and subsequent state and local government elections and by-elections.

The review assesses technology assisted voting options, balancing the risk of technical reliability and cyber security concerns with the needs of particular elector classes, the requirements of electoral laws and cost effectiveness. The Electoral Commissioner has to date published an *Issues and Questions Paper* (December 2022) and an *Interim Report* (August 2023), with submissions from stakeholders and the public invited (and published) in response to each of these reports.

More information on the review including the timeline, submissions received and reports released is published on the Electoral Commission's [website](#).

Recommendation 18

The Committee recommends that the NSW Government consider amending the Electoral Act 2017 to make the iVote development process for the 2023 NSW State election subject to independent oversight by a panel of technology experts, that has power to publicly recommend against the system's use if it fails to meet pre-determined security and reliability requirements. The panel of technology experts would report directly to the Joint Standing Committee on Electoral Matters.

iVote was not available at the 2023 State election.

Recommendation 19

The Committee recommends that the NSW Electoral Commission make the iVote source code available for interested members of the public to test at least six months prior to the relevant election, and limit any associated non-disclosure agreement to that necessary for security reasons.

iVote was not available at the 2023 State election.

Recommendation 20

The Committee recommends that in the future the verification system that iVoters can use to confirm that their vote has been recorded correctly be delivered by a provider other than the provider with whom iVoters have cast their vote.

iVote was not available at the 2023 State election.

Recommendation 21

The Committee recommends that all voters who use the iVote system be provided with a hyperlink to each party's registered how-to-vote.

iVote was not available at the 2023 State election.

Recommendation 22

The Committee recommends that the NSW Government amend the *Electoral Act 2017* to:

- **require the NSW Electoral Commission to translate registered how-to-vote cards into formats accessible to persons who are blind or have low vision; and**
- **require the NSW Electoral Commission to publish these accessible versions on its website, where possible.**

The Electoral Commission considers that its independence is preserved by the preparation of how-to-vote cards remaining the responsibility of election participants. The Electoral Commission continued at this election, however, to encourage applicants for registration to make these electoral materials accessible (including to support the use of assistive tools such as screen readers by electors who are blind or have low vision). The Electoral Commission provides candidates with a guide to creating accessible documents.

Recommendation 23

The Committee recommends that the NSW Electoral Commission disseminate information about iVote to disability advocacy groups well in advance of the relevant NSW state election to ensure that it reaches their members in time.

iVote was not available at the 2023 State election.

Recommendation 24

In future the NSW Electoral Commission employ specialised staff at its elector call centre, with appropriate qualifications and training to provide iVote users with technical support.

iVote was not available at the 2023 State election.

Recommendation 25

The Committee recommends that in future, the NSW Electoral Commission provide disability awareness and confidence training to all staff working at its elector call centre.

All elector call centre staff for the 2023 NSW State election were required to complete an online module about diversity inclusion, disability and sensitivity awareness.

Recommendation 26

The Committee recommends that the NSW Electoral Commission conduct the Legislative Assembly first preference count, and the Legislative Assembly two candidates preferred count on election night as a matter of priority.

See response to Recommendation 27.

Recommendation 27

The Committee recommends that the Legislative Council count not take place until the Legislative Assembly first preference count, and the Legislative Assembly two candidate preferred count, have been completed.

The NSW Electoral Commission notes that the recommended count process was used for the 2019 NSW State election and the 2023 NSW State election at voting centres, that is, the Legislative Assembly initial count was conducted as the first priority, followed by the two candidate preferred Count and then the Legislative Council initial count.

At the 2023 election, however, the increased scale of early voting, together with the work health and safety principles implemented for election night, may have impacted the number of Legislative Assembly ballot papers able to be counted on election night in some districts. Before the 2027 NSW State election, further consideration will be given to the reasons why some district counts were less advanced than others and to prioritising Legislative Assembly counting of ballot papers from early voting centres.

Recommendation 28

The Committee recommends that the NSW Electoral Commission stop sorting Legislative Assembly ballot papers into single preference and multi preference ballot papers before conducting the two candidates preferred count.

This recommendation was implemented at the 2023 NSW State election as follows:

- Election officials were instructed to proceed to the conduct of the two candidate preferred (TCP) count as soon as the initial count of first preferences was completed. The batching process, that is, sorting into single preference and multi preference ballot papers, is a separate process undertaken during the check count.

Recommendation 29

The Committee recommends that in the counting of declaration and postal votes for the Legislative Assembly, the NSW Electoral Commission prioritise ballot papers for electoral districts that are closely contested.

This recommendation was implemented at the 2023 NSW State with the adoption of the following process:

- Priority was established based on the classification of certain electoral districts as *Key seats* (priority 1) and *Watch seats* (priority 2). The priority list was updated as the counts progressed where results identified a variance in the anticipated closeness of the result.
- These priority counts were applied in the postal voting centre (commencing on election night) and the declaration voting centre commencing on the Thursday after election day.
- The Electoral Commission website was updated throughout the count period to show counts expected and volume of the progressive counts for the postal and other declaration votes.

Recommendation 30

The Committee recommends that the NSW Electoral Commission examine ballot paper scanning to replace the manual Legislative Council ballot paper check count and data entry processes, and report back to the Committee on the accuracy, reliability and security of such a system before it is implemented.

In 2021, a procurement process was commenced with a view to engaging a supplier to deliver Legislative Council ballot paper scanning for the 2023 NSW State election.

However, following the evaluation of options available, the decision was made not to proceed to contract, and the procurement process was terminated. This decision was based on the risk in implementing the service in time for the 2023 NSW State election, together with the limited availability of staff and resources due to delivering the COVID-postponed local government elections held in December 2021.

Recommendation 31

The Committee recommends that if there were any move to ballot paper scanning to replace the manual Legislative Council ballot paper check count and data entry processes:

- paper ballots must be retained so that an audit can take place
- under the auditing process randomly sampled electronic ballots should be checked against the paper ballots to see that the digitised preferences have been accurately recorded, and
- candidate or party-appointed scrutineers must be included as part of the auditing process.

Scanning of the Legislative Council ballot papers was not undertaken for the 2023 State election.

Recommendation 32

The Committee recommends that the NSW Government amend the *Electoral Act 2017* to provide voting centre managers, early voting centre managers and designated staff at polling places ('designated staff') discretion with regard to the enforcement of the 'six-metre rule' where there are reasonable grounds.

This recommendation was implemented by the *Electoral Legislation Amendment Act 2022*, which added s 206A to the Electoral Act.

On 7 March 2023 the Electoral Commissioner issued a guideline under s 206A(2) of the Electoral Act to provide guidance on how election officials should determine the six-metre perimeter to ensure safe and easy access to voting centres and consistency in the enforcement of the rules.

Recommendation 33

The Committee recommends that the NSW Government consider whether it is necessary to allocate additional funding to the NSW Electoral Commission to exercise such a discretion with regard to the enforcement of the 'six-metre rule'.

No additional funding was sought to develop the guideline issued by the Electoral Commissioner on 7 March 2023. If more complex changes were required to be implemented to the 'six-metre rule', additional staffing at voting centres may be required.

Recommendation 34

The Committee recommends that the NSW Electoral Commission issue guidelines, and provide appropriate training, to voting centre managers, early voting centre managers and designated staff on exercising discretion in the enforcement of the 'six-metre rule'.

With respect to issuing a guideline, see the response to Recommendation 32 above.

With respect to training, instructions regarding the 'six-metre rule' were incorporated into compulsory online training and face to face training delivered to election managers, voting centre managers, deputy voting centre managers and early voting centre managers.

Recommendation 35

The Committee recommends that the NSW Electoral Commission review the training provided to voting centre and early voting centre staff to ensure that it equips staff to:

- appropriately regulate the centres, and
- issue correct instructions on how to fill out a ballot paper.

Prior to the 2023 NSW State election, training provided to all voting and early voting centre staff was reviewed, including in relation to these issues and improvements made. The amount of training that can be delivered, however, must remain concise and focused. The majority of the thousands of people engaged to work with the Electoral Commission only work on election day only, so the complexity of training cannot be increased without significant remuneration impacts.

Recommendation 36

The Committee recommends that the NSW Electoral Commission conduct a review to determine what steps could be taken to increase the number of fully accessible voting centres and early voting centres for future NSW state elections.

A comprehensive review of all voting centres and early voting centres is undertaken prior to each election to assess their suitability for election operations. Relevant considerations include: accessibility, location, work health and safety requirements, physical condition, size, amenities, visibility for the purpose of raising elector awareness, amenities, deliveries and cost.

The Electoral Commission also aims, where possible, to offer consistency of voting venues used at state, local and federal elections, and works with the Australian Electoral Commission to maintain a database of venues across New South Wales. This assists in ensuring that where newly constructed and renovated facilities with greater accessibility become available these are secured wherever possible.

The NSW Electoral Commission is limited to hiring those facilities that are available, and of a suitable size and in an appropriate location to function as a voting centre.

Recommendation 37

The Committee recommends that the NSW Government continue to fund programs under which the NSW Electoral Commission partners with community organisations to provide information to target communities.

The Electoral Commission has historically received limited funding for community engagement activities but is seeking to change that as part of its anticipated proposal to re-baseline the organisation's resourcing in the 2024-25 State budget. Within its current resourcing, however, it partnered with community organisations to provide information to target communities for the 2023 State election. This included partnering with the Ethnic Communities Council of NSW to facilitate the Vote Talk program. Vote Talk delivers culturally appropriate educational information to culturally and linguistically diverse community members in their own language. For this election, the Vote Talk program included in-language resources, communications and community engagement across six languages. The program successfully delivered:

- in-language radio interviews on community radio
- in-language community education events and sessions; and
- in-language podcasts
- an evaluation report.

The program delivered 30 community education sessions with 505 participants. Participants reported their confidence in knowing to vote and why they were voting increased from 35.4 per cent to 81.6 per cent.

The Electoral Commission also worked with other multicultural organisations, disability peak bodies, and Aboriginal organisations to share information about the 2023 State election to their members and networks.

Recommendation 38

The Committee recommends that the NSW Electoral Commission label voting centres and early voting centres in any language where it is assessed that a significant proportion of that electoral district speaks that language at home.

For the 2023 State election a trial was conducted of voting centre signage labelled in different languages in areas of metropolitan Sydney where census data showed that a considerable proportion of the population speak a particular language other than English.

The trial covered 10 voting centres (including early voting centres), that displayed new 'Vote here' banners printed in five additional languages in addition to English. The five languages identified for the trial, based on census data, were: Arabic, Cantonese, Mandarin, Vietnamese and Greek. The trial was conducted in the following electoral districts: Auburn, Bankstown, Cabramatta, Canterbury, Fairfield, Granville, Kogarah, Liverpool, Rockdale and Strathfield.

An independent research evaluation report was commissioned to evaluate the success of the trial. Of the participants surveyed, 31 per cent recalled seeing the in-language signage. Of those, 94 per cent stated that the sign made them feel welcomed into the voting centre and 71 per cent stated that they took action as a result of seeing the signage, 6 per cent of whom had not intended to vote but did so because they had seen the sign. This research will inform planning for future elections.

Recommendation 39

The Committee recommends that the NSW Electoral Commission partner with homelessness services to provide information to staff and clients about enrolment, elections and voting.

Engagement was undertaken with homelessness services to provide information to staff and clients about enrolment, elections and voting. This included an engagement initiative with Newtown Neighbourhood Centre delivered through the centre's One-stop-shop community services program. In-person education and engagement sessions were conducted over a five-week period in the lead-up to the 2023 NSW State election, supporting people experiencing, or at risk of experiencing, homelessness to understand:

- enrolling, including exploring enrolling with no fixed address
- what their voting options are
- how to vote and fill our ballot papers
- key dates and information on the election.

The Electoral Commission will continue to partner with homelessness services to provide engagement initiatives.

Recommendation 40

The Committee recommends that the NSW Electoral Commission produce written materials about enrolment, elections and voting for people experiencing homelessness, similar to those produced by the Victorian Electoral Commission and:

- **publish them on the NSW Electoral Commission website;**
- **provide hard copies for distribution at homelessness services.**

Written and audio-visual materials about enrolment, elections and voting for people experiencing homelessness were prepared for the 2023 State election. These resources included:

- a video on enrolling and voting for electors with no fixed address
- factsheets
- easy read guide.

All these materials were published on the Electoral Commission's website. Printed copies of materials were used for the engagement initiative with Newtown Neighbourhood Centre.

Recommendation 41

The Committee recommends that the NSW Electoral Commission collect and publish data to allow stakeholders to evaluate the timeliness with which the Commission resolves complaints about non-compliance with electoral legislation, made during the voting period (that is, from the start of early voting until the end of election day).

There are two main types of communications received by the Electoral Commission from external stakeholders during an election period that raise concerns. "Complaint" is the term used to describe a communication that raises concerns about the standard of delivery of services by the Electoral Commission, such as voting or counting. "Allegation" is the term used to describe reports received that a person (such as an election participant) is contravening electoral legislation, including in relation to the distribution of electoral material.

The Electoral Commission enhanced its Investigation Matter Management System for the State election to capture additional data, including when an allegation received is acknowledged. All allegations received during the regulated period for the 2023 State general election were acknowledged and action taken, if applicable, by the end of the next business day following receipt. Details about the allegations received during the regulated period are set out in further detail in the Electoral Commission's Special report to Parliament under the *Electoral Funding Act 2018*, and also included in Part two of this report.

Recommendation 42

The Committee recommends that the NSW Government make legislative amendments to require the NSW Electoral Commission to advise complainants of the outcome of complaints they have made to the Commission about non-compliance with electoral legislation.

This recommendation was implemented in relation to NSW parliamentary elections by the *Electoral Legislation Amendment Act 2022*, which amended s 268 of the Electoral Act to give the Electoral Commissioner and Electoral Commission the discretion to disclose information to a person who has reported a possible contravention of the Electoral Act or the Electoral Funding Act, for the purpose of providing an update on the status or outcome of an investigation into the possible contravention, if satisfied that the disclosure is in the public interest.

Recommendation 43

The Committee recommends that the NSW Government amend the *Electoral Funding Act 2018* so that:

- quarterly payments of administration funding are made in advance, not in arrears, and
- any unused portion of the quarterly payment can be carried over to the subsequent quarter within a calendar year.

This recommendation was implemented by the *Electoral Legislation Amendment Act 2022*, which amended s 91(2) of the Electoral Funding Act to provide that the amount payable, by way of a quarterly advance payment in respect of a relevant quarter, is payable at the beginning of the relevant quarter and is an amount equal to 100 per cent of the total amount to which the party or elected member would be entitled under s 87 or s 88 in respect of that relevant quarter.

Section 90(1) of the Electoral Funding Act provides that, if actual administrative expenditure is incurred by or on behalf of a party or elected member in a quarter in excess of the amount (if any) to which the party or elected member is eligible under ss 87 or 88 in respect of that quarter, the amount of the excess may be carried over to a subsequent quarter in the same calendar year and is to be taken to be actual administrative expenditure incurred in that subsequent quarter.

The *Electoral Legislation Amendment Act 2022* added s 90(2A) to the Electoral Funding Act to provide that if actual administrative expenditure incurred by or on behalf of a party or elected member in a quarter was less than the *maximum amount*, if any, the party or elected member would have been eligible to receive under section 87 or 88 for the quarter, had the actual administrative expenditure been incurred, the difference may be carried over to a subsequent quarter in the same calendar year and added to the maximum amount the party or elected member is eligible to receive under section 87 or 88 in the subsequent quarter.

The second point in the recommendation was implemented by the *Electoral Legislation Amendment Act 2022*, which amended s 91(2) of the Electoral Funding Act to provide that the amount payable, by way of a quarterly advance payment in respect of a relevant quarter, is payable at the beginning of the relevant quarter and is an amount equal to 100 per cent of the total amount to which the party or elected member would be entitled under s 87 or s 88 in respect of that relevant quarter.

Recommendation 44

The Committee recommends that the NSW Government consider amending the *Electoral Funding Act 2018* so that claims from the Electoral Campaigns Fund are paid to eligible parties and candidates in two instalments following an interim claim and a financial claim.

This recommendation was not implemented to give effect to this recommendation.

The current process is that the Electoral Commission pays parties two advance payments of 50 per cent and 25 per cent of their entitlements for the last general election respectively. After an election, a party will receive 90 per cent of their estimated entitlement, less advance payments already made, if the Electoral Commission cannot assess the whole claim within 14 days. The remaining payment of the final claim is made once the claim is assessed. Candidates receive one final claim payment as soon as practicable after their claim is assessed by the Electoral Commission.

Recommendation 45

The Committee recommends that the NSW Government consider amendments to the *Electoral Funding Act 2018* so that party membership subscription fees can be used for campaign purposes if the party chooses, with appropriate quarantining so that subscription fees from prohibited donors cannot be so used.

The Electoral Funding Act was not amended to give effect to this recommendation.

Recommendation 46

The Committee recommends that the NSW Government consider amending the *Electoral Act 2017* and/or the *Electoral Regulation 2018*:

- to make it clear that there is no requirement for each individual post of online electoral material to be authorised, and
- to make it clear that it is sufficient for the authorisation to appear in a prominent place on a webpage or a social media page to certify that everything posted to the page is authorised.

This recommendation was implemented by the *Electoral Amendment (Electoral Material and Election Officials) Regulation 2023*, which amended the *Electoral Regulation 2018* to clarify the name and address requirements for electoral material posted online (see sections 8A and 8AA).

For example, social media posts made by or on behalf of political participants are exempt from authorisation requirements provided the relevant name and address are included in the account, bio or impressum section of the social media profile of the person who made the post, or on whose behalf the post was made, that is accessible via a hyperlink or URL included or embedded in or accompanying the post.

Recommendation 47

The Committee recommends that the NSW Government amend the *Electoral Act 2017* to provide that the NSW Electoral Commission may, from time to time, determine and issue guidelines not inconsistent with the Act or regulations about the location and method of authorisation for online electoral material.

The Electoral Act was not amended to give effect to this recommendation. While this recommendation has not been legislatively implemented, the changes to the Electoral Regulation noted in the response to Recommendation 46 above provided additional flexibility for authorising social media posts, while ensuring that those responsible for electoral material can still be identified.

Recommendation 48

The Committee recommends that the NSW Government consider amending the *Electoral Funding Act 2018*:

- to remove the need to submit separate returns to claim funding from the Election Campaigns Fund on the one hand, and to disclose electoral expenditure on the other,
- to provide that these returns could instead be filed as one.

However, the option to submit two separate returns, if desired, should remain.

The Electoral Funding Act was not amended to give effect to this recommendation.

The current statutory timelines do not facilitate filing only one set of returns, given that a *claim* must be lodged within 120 days after the day for the return of the writs for a general election, but *disclosures* can only be lodged between 1 July and 22 September. Moreover, the responsibilities for filing returns are divided among election participants. Also, eligible parties must claim for the expenditure of their endorsed candidates, but the expenditure itself must be disclosed by the candidate.

Recommendation 49

The Committee recommends that the NSW Government amend the *Electoral Funding Act 2018* to change the claim period for the New Parties Fund from a calendar year to a financial year.

This recommendation was implemented by the *Electoral Legislation Amendment Act 2022*, which amended s 93(3) of the Electoral Funding Act to provide for the annual amount to be distributed from the New Parties Fund to any such eligible party to be the amount of actual policy development expenditure incurred by or on behalf of the party during the financial year to which the payment relates, but not exceeding the relevant maximum amount of payment in relation to the party.

Recommendation 50

The Committee recommends that the NSW Government amend section 15(1)(b) of the *Electoral Funding Act 2018* so that political donations covered by that section must be disclosed within six weeks after the end of the half-year within which the donation was received or made, except for political donations made or received in the half year period immediately prior to an Assembly general election for which the disclosure cut-off should continue to be four weeks after the end of that half year.

This recommendation was implemented by the *Electoral Legislation Amendment Act 2022*, which amended s15(1) of the Electoral Funding Act to provide that, with the exception of reportable political donations received or made during the pre-election period for an Assembly general election, disclosures of political donations are to be made within six weeks after the end of the half-year within which the political donation was received or made.

Recommendation 51

The Committee recommends that the NSW Government amend section 57 of the *Electoral Funding Act 2018* to raise the threshold for the exception to the aggregation rule for small donations at fundraising ventures and functions from \$50 to \$100.

This recommendation was implemented by the *Electoral Legislation Amendment Act 2022*, which amended s 57(1) of the Electoral Funding Act to provide for an exception to aggregation for small political donations at fundraising ventures and functions that:

- a) is of an amount of \$100 or less, and
- b) was made by a person at a fundraising venture or function, and
- c) was the only such donation made by that person at that venture or function.

Recommendation 52

The Committee recommends that the NSW Government amend the *Electoral Funding Act 2018* to provide that:

- where the party agent is not available, the party's registered officer can sign documentation as required under the *Electoral Funding Act 2018* and regulations on the party agent's behalf; and that in any such case the party agent's obligations under the legislation pass to that registered officer and can be enforced against the registered officer;
- to require registered officers to undertake the NSW Electoral Commission's agent training program consistent with current requirements for party agents under section 102(e) of the *Electoral Funding Act 2018*.

This recommendation was implemented by the *Electoral Legislation Amendment Act 2022*, which added section 157(1) to the Electoral Funding Act, which provides that if at any time a party agent for a party is absent or otherwise unavailable, the registered officer of the party under the Electoral Act 2017 or under the Local Government Act 1993, as the case requires, may lodge the following on behalf of the party agent:

- a) a declaration under Part 3, Division 2,
- b) a claim for a payment under Part 4 or Part 5.

Section 157(2)(a) provides that a registered officer may only lodge a declaration or claim or both on behalf of a party agent if they have completed the training prescribed by the regulations for appointment as a party agent, unless the person is of a class of persons recognised by the regulations as a person eligible for appointment as a party agent without further training.

Recommendation 53

The Committee recommends that as a matter of priority, the NSW Electoral Commission implement an online system that allows the electronic lodgement and management of:

- disclosures of electoral expenditure and political donations as required under the *Electoral Funding Act 2018*, and
- funding claims made pursuant to the *Electoral Funding Act 2018*.

During the 2023 State election, Funding and Disclosure (FD) Online enabled political participants to:

- complete and submit political donation and electoral expenditure disclosures forms;
- enter disclosure information and upload supporting documentation on an ongoing basis;
- provide electronic signatures when submitting forms;
- amend previously submitted disclosures;
- request additional time to submit a disclosure form;
- apply to register as a candidate, group of candidates, associated entity or third-party campaigner for a NSW state or local government election;
- update their personal and registered details; and
- appoint and withdraw an appointment of an agent.

System enhancements in development at the time of preparing this report will enable eligible parties and candidates to use FD Online to make claims from the Election Campaigns, Administration and New Parties funds. Parties and candidates will also be able to track online the progress of any public funding claims under consideration that were made before the electronic claims process became available.

Recommendation 54

The Committee recommends that the NSW Government review the level of resourcing provided to the NSW Electoral Commission to fulfil its compliance and enforcement role and to retain relevant expertise within the organisation from election to election.

The Electoral Commission is considering its compliance and enforcement resourcing needs as part of a re-baselining of the organisation's resourcing, which will be submitted to the NSW Government for consideration in the 2024/2025 budget. These needs will not only incorporate resourcing for a small team of ongoing specialist investigators but also for the Electoral Commission's compliance audit and duty-holder education functions, which are also critical components of effective compliance and overall event integrity. It should be expected, however, that additional event-focussed resourcing for compliance work (such as for trained staff in voting centres, additional client services operators and additional inspectors) will still be required for each state-wide election.

Appendix B: Count processes

Legislative Assembly count processes

Legislative Assembly ballot papers undergo the following counts:

Initial count

An Initial count is conducted for each venue/vote type. Ballot papers are examined for formality and sorted to the first preference for each candidate or to the Informals/Queries pile, that is, ballot papers where there is no first preference recorded or that cannot be sorted to a candidate as they appear to be informal.

The Initial count is a manual count following simplified guidelines whereby a ballot paper is sorted as formal if:

- it has a single '1', or a single 'tick', or a single 'cross', and no other preferences; or
- it has two or more preferences, each preference is a number, and there is only a single '1'

This simplified process may result in some formal ballot papers being temporarily sorted to the Informals/Queries pile. These ballot papers later will be sorted to the correct pile when the Informals/Queries pile is reviewed by the supervisor.

The Initial count is an indicative count only.

Two candidates preferred count

Before election day, the Electoral Commissioner selects two candidates in each electoral district who are considered most likely to be the two remaining candidates after the Distribution of Preferences for that district. These are known as the 'TCP candidates'.

The TCP count is conducted immediately after the Initial count by distributing each of the non-TCP candidates' ballot papers to the TCP candidate with the next highest preference on each ballot paper. When a ballot paper does not contain a valid preference for either of the TCP candidates, the ballot paper is considered exhausted for the purpose of this count.

The TCP Count is not the official distribution of preferences. It provides an indication of the likely election outcome only.

TCP counts will not be conducted during the initial count of declaration vote ballot papers, i.e., Absent, Enrolment and Name Already Marked as Voted (NAMAV) vote types. However, as the Check Count is completed for a venue/vote type (see below), TCP results will be available for all vote types.

Check count

The Check count consists of a combination of a manual process (batching) and a data entry process:

- **Batching:** sorting the ballot papers for each candidate into single preference (i.e., a single '1', a single 'tick', or a single 'cross' and no other preferences) and multi preference. The informal ballot papers are sorted into Blanks and Non-Blanks.
- **Registration:** entering the check count results into the NSW Electoral Commission Computer Count System (PRCC).
- **Data entry:** entering all preferences on all multi preference ballot papers into PRCC. The single preference ballot papers for each candidate and the blanks are registered as a bulk figure (the step above) and do not undergo data entry.

The Check count is the official count that is used in the Distribution of Preferences within PRCC to determine the elected candidate(s).

Distribution of preferences

The Distribution of preferences to determine the elected candidate is conducted by the election manager for the electoral district after the Check count is completed. The Distribution of preferences is conducted within PRCC in an automated manner, using all the preferences and single preference totals entered during the Check count.

Legislative Council count processes

Legislative Council ballot papers undergo the following counts.

Initial count

The Initial count is a manual count. Ballot papers are examined for formality and sorted to the following categories:

- Above the line – Ballot papers are sorted to piles according to the first preference above the line for each group that has a group voting square
- Blanks – Blank ballot papers are sorted to one ‘Blanks’ pile
- Others (including Informals) – All other ballot papers that do not belong to the above categories.

Check count

The Check count consists of a combination of a manual process (batching) and a data entry process:

- Batching: sorting the ballot papers for each group (i.e., a single ‘1’, a single ‘tick’, or a single ‘cross’ and no other preferences above the line) and multi preference.
- Registration: entering the check count results into the NSW Electoral Commission’s Computer Count System
- Data entry: entering all preferences on ballot papers with more than one preference either above or below the line into the Computer Count System. The single preference ballot papers for each group and the blanks are registered as a bulk figure (the step above) and do not undergo data entry.

The Check count is the official count that is used in the Distribution of preferences within the Computer Count System to determine the elected candidates.

Distribution of preferences

The Distribution of preferences to determine the elected candidates is conducted by the Electoral Commissioner after the Check count is completed. The Distribution of preferences is conducted using the Computer Count System in an automated manner, using all the preferences and single preference totals entered during the Check count.

Appendix C: Candidates elected to the Legislative Assembly, 2023 NSW State election

District	Candidate name	Affiliation
Albury	CLANCY Justin	The Liberal Party of Australia, New South Wales Division
Auburn	VOLTZ Lynda	Australian Labor Party (NSW Branch)
Badgerys Creek	DAVIES Tanya	The Liberal Party of Australia, New South Wales Division
Ballina	SMITH Tamara	The Greens NSW
Balmain	SHETTY Kobi	The Greens NSW
Bankstown	DIB Jihad	Australian Labor Party (NSW Branch)
Barwon	BUTLER Roy	Independent
Bathurst	TOOLE Paul	National Party of Australia – NSW
Bega	HOLLAND Michael	Australian Labor Party (NSW Branch)
Blacktown	BALI Stephen	Australian Labor Party (NSW Branch)
Blue Mountains	DOYLE Trish	Australian Labor Party (NSW Branch)
Cabramatta	VO Tri	Australian Labor Party (NSW Branch)
Camden	QUINNELL Sally	Australian Labor Party (NSW Branch)
Campbelltown	WARREN Greg	Australian Labor Party (NSW Branch)
Canterbury	COTSIS Sophie	Australian Labor Party (NSW Branch)
Castle Hill	HODGES Mark	The Liberal Party of Australia, New South Wales Division
Cessnock	BARR Clayton	Australian Labor Party (NSW Branch)
Charlestown	HARRISON Jodie	Australian Labor Party (NSW Branch)
Clarence	WILLIAMSON Richie	National Party of Australia – NSW
Coffs Harbour	SINGH Gurmesh	National Party of Australia – NSW
Coogee	O'NEILL Marjorie	Australian Labor Party (NSW Branch)
Cootamundra	COOKE Steph	National Party of Australia – NSW
Cronulla	SPEAKMAN Mark	The Liberal Party of Australia, New South Wales Division
Davidson	CROSS Matt	The Liberal Party of Australia, New South Wales Division
Drummoyne	DI PASQUA Stephanie	The Liberal Party of Australia, New South Wales Division
Dubbo	SAUNDERS Dugald	National Party of Australia – NSW
East Hills	WILKINSON Kylie	Australian Labor Party (NSW Branch)
Epping	PERROTTET Dominic	The Liberal Party of Australia, New South Wales Division
Fairfield	SALIBA David	Australian Labor Party (NSW Branch)

District	Candidate name	Affiliation
Gosford	TESCH Liesl	Australian Labor Party (NSW Branch)
Goulburn	TUCKERMAN Wendy	The Liberal Party of Australia, New South Wales Division
Granville	FINN Julia	Australian Labor Party (NSW Branch)
Hawkesbury	PRESTON Robyn	The Liberal Party of Australia, New South Wales Division
Heathcote	STUART Maryanne	Australian Labor Party (NSW Branch)
Heffron	HOENIG Ron	Australian Labor Party (NSW Branch)
Holsworthy	AYYAD Tina	The Liberal Party of Australia, New South Wales Division
Hornsby	KEAN Matt	The Liberal Party of Australia, New South Wales Division
Keira	PARK Ryan	Australian Labor Party (NSW Branch)
Kellyville	WILLIAMS Ray	The Liberal Party of Australia, New South Wales Division
Kiama	WARD Gareth	Independent
Kogarah	MINNS Chris	Australian Labor Party (NSW Branch)
Lake Macquarie	PIPER Greg	Independent
Lane Cove	ROBERTS Anthony	The Liberal Party of Australia, New South Wales Division
Leppington	HAGARTY Nathan	Australian Labor Party (NSW Branch)
Lismore	SAFFIN Janelle	Australian Labor Party (NSW Branch)
Liverpool	KALIYANDA Charishma	Australian Labor Party (NSW Branch)
Londonderry	CAR Prue	Australian Labor Party (NSW Branch)
Macquarie Fields	CHANTHIVONG Anoulack	Australian Labor Party (NSW Branch)
Maitland	AITCHISON Jenny	Australian Labor Party (NSW Branch)
Manly	GRIFFIN James	The Liberal Party of Australia, New South Wales Division
Maroubra	DALEY Michael	Australian Labor Party (NSW Branch)
Miranda	PETINOS Eleni	The Liberal Party of Australia, New South Wales Division
Monaro	WHAN Steven	Australian Labor Party (NSW Branch)
Mount Druitt	ATALLA Edmond	Australian Labor Party (NSW Branch)
Murray	DALTON Helen	Independent
Myall Lakes	THOMPSON Tanya	National Party of Australia – NSW
Newcastle	CRAKANTHORP Tim	Australian Labor Party (NSW Branch)
Newtown	LEONG Jenny	The Greens NSW

District	Candidate name	Affiliation
North Shore	WILSON Felicity	The Liberal Party of Australia, New South Wales Division
Northern Tablelands	MARSHALL Adam	National Party of Australia – NSW
Oatley	COURE Mark	The Liberal Party of Australia, New South Wales Division
Orange	DONATO Philip	Independent
Oxley	KEMP Michael	National Party of Australia – NSW
Parramatta	DAVIS Donna	Australian Labor Party (NSW Branch)
Penrith	McKEOWN Karen	Australian Labor Party (NSW Branch)
Pittwater	AMON Roderick (Rory)	The Liberal Party of Australia, New South Wales Division
Port Macquarie	WILLIAMS Leslie	The Liberal Party of Australia, New South Wales Division
Port Stephens	WASHINGTON Kate	Australian Labor Party (NSW Branch)
Prospect	McDERMOTT Hugh	Australian Labor Party (NSW Branch)
Riverstone	KIRBY Warren	Australian Labor Party (NSW Branch)
Rockdale	KAMPER Steve	Australian Labor Party (NSW Branch)
Ryde	LANE Jordan	The Liberal Party of Australia, New South Wales Division
Shellharbour	WATSON Anna	Australian Labor Party (NSW Branch)
South Coast	BUTLER Liza	Australian Labor Party (NSW Branch)
Strathfield	LI Jason Yat-Sen	Australian Labor Party (NSW Branch)
Summer Hill	HAYLEN Jo	Australian Labor Party (NSW Branch)
Swansea	CATLEY Yasmin	Australian Labor Party (NSW Branch)
Sydney	GREENWICH Alex	Independent
Tamworth	ANDERSON Kevin	National Party of Australia – NSW
Terrigal	CROUCH Adam	The Liberal Party of Australia, New South Wales Division
The Entrance	MEHAN David	Australian Labor Party (NSW Branch)
Tweed	PROVEST Geoff	National Party of Australia – NSW
Upper Hunter	LAYZELL Dave	National Party of Australia – NSW
Vaucluse	SLOANE Kellie	The Liberal Party of Australia, New South Wales Division
Wagga Wagga	McGIRR Joe	Independent
Wahroonga	HENSKENS Alister	The Liberal Party of Australia, New South Wales Division
Wakehurst	REGAN Michael	Independent

District	Candidate name	Affiliation
Wallsend	HORNERY Sonia	Australian Labor Party (NSW Branch)
Willoughby	JAMES Tim	The Liberal Party of Australia, New South Wales Division
Winston Hill	TAYLOR Mark	The Liberal Party of Australia, New South Wales Division
Wollondilly	HANNAN Judy	Independent
Wollongong	SCULLY Paul	Australian Labor Party (NSW Branch)
Wyong	HARRIS David	Australian Labor Party (NSW Branch)

Appendix D: Candidates elected to the Legislative Council, 2023 NSW State election

Candidates in sequence of election. Candidates declared elected in accordance with section 173 of the *Electoral Act 2017* on 20 April 2023.

Candidate name	Affiliation	Group
HOUSSOS Courtney	Australian Labor Party (NSW Branch)	D
MACLAREN-JONES Natasha	The Liberal Party of Australia, New South Wales Division	I
FAEHRMANN Cate	The Greens NSW	R
LATHAM Mark	Pauline Hanson's One Nation	Q
JACKSON Rose	Australian Labor Party (NSW Branch)	D
TAYLOR Bronnie	National Party of Australia – NSW	I
MURPHY Cameron	Australian Labor Party (NSW Branch)	D
RATH Chris	The Liberal Party of Australia, New South Wales Division	I
SUVAAL Emily	Australian Labor Party (NSW Branch)	D
CARTER Susan	The Liberal Party of Australia, New South Wales Division	I
GRAHAM John	Australian Labor Party (NSW Branch)	D
FRANKLIN Ben	National Party of Australia – NSW	I
NANVA Bob	Australian Labor Party (NSW Branch)	D
MUNRO Jacqui	The Liberal Party of Australia, New South Wales Division	I
LAWRENCE Stephen	Australian Labor Party (NSW Branch)	D
KAINE Sarah	Australian Labor Party (NSW Branch)	D
COHN Amanda	The Greens NSW	R
BUCKINGHAM Jeremy	Legalise Cannabis NSW Party	O
RUDDICK John	Liberal Democratic Party	J
BORSAK Robert	Shooters, Fishers and Farmers Party (NSW) Incorporated	N
MERTON Rachel	The Liberal Party of Australia, New South Wales Division	I

Appendix E: Number of Legislative Assembly nominations by electoral district, 2023 NSW State election

Electoral district	Number of candidates	Electoral district	Number of candidates
Albury	7	Gosford	7
Auburn	6	Goulburn	5
Badgerys Creek	5	Granville	6
Ballina	5	Hawkesbury	8
Balmain	5	Heathcote	6
Bankstown	8	Heffron	7
Barwon	8	Holsworthy	5
Bathurst	8	Hornsby	8
Bega	7	Keira	4
Blacktown	8	Kellyville	5
Blue Mountains	6	Kiama	5
Cabramatta	6	Kogarah	4
Camden	5	Lake Macquarie	6
Campbelltown	8	Lane Cove	5
Canterbury	6	Leppington	5
Castle Hill	6	Lismore	8
Cessnock	7	Liverpool	6
Charlestown	4	Londonderry	5
Clarence	8	Macquarie Fields	6
Coffs Harbour	7	Maitland	7
Coogee	6	Manly	7
Cootamundra	7	Maroubra	6
Cronulla	6	Miranda	5
Davidson	5	Monaro	7
Drummoyne	4	Mount Druitt	4
Dubbo	6	Murray	10
East Hills	4	Myall Lakes	6
Epping	6	Newcastle	6
Fairfield	7	Newtown	4

Electoral district	Number of candidates
North Shore	7
Northern Tablelands	10
Oatley	5
Orange	8
Oxley	7
Parramatta	5
Penrith	7
Pittwater	5
Port Macquarie	8
Port Stephens	7
Prospect	5
Riverstone	6
Rockdale	4
Ryde	5
Shellharbour	7
South Coast	6
Strathfield	5
Summer Hill	5

Electoral district	Number of candidates
Swansea	5
Sydney	5
Tamworth	8
Terrigal	4
The Entrance	6
Tweed	6
Upper Hunter	7
Vaucluse	7
Wagga Wagga	7
Wahroonga	5
Wakehurst	6
Wallsend	7
Willoughby	5
Winston Hills	4
Wollondilly	6
Wollongong	4
Wyong	5

Appendix F: Candidates nominated for Legislative Assembly by district, 2023 NSW State election

District	Candidate name	Affiliation	Elected
Albury	DAVERN Eli	The Greens NSW	
Albury	FERNANDO Asanki	Animal Justice Party	
Albury	ROWLAND Marcus	Australian Labor Party (NSW Branch)	
Albury	HAMILTON Ross	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Albury	CLANCY Justin	The Liberal Party of Australia, New South Wales Division	Yes
Albury	SINCLAIR Peter	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Albury	ROBERTSON Geoffrey	Liberal Democratic Party	
Auburn	VOLTZ Lynda	Australian Labor Party (NSW Branch)	Yes
Auburn	ASGARI Masoomah	The Greens NSW	
Auburn	DAOUD Jamal		
Auburn	MORKOS DOUAIHY Julie	Liberal Democratic Party	
Auburn	GOED Shelley	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Auburn	ZAMAN Mohammed (Haseen)	The Liberal Party of Australia, New South Wales Division	
Badgerys Creek	DAVIES Tanya	The Liberal Party of Australia, New South Wales Division	Yes
Badgerys Creek	GREEN Benjamin	Pauline Hanson's One Nation	
Badgerys Creek	BEST Nick	The Greens NSW	
Badgerys Creek	THAIN Garion	Australian Labor Party (NSW Branch)	
Badgerys Creek	COOPER Peter	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Ballina	JENKINS Peter	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Ballina	BROADLEY Andrew	Australian Labor Party (NSW Branch)	
Ballina	LOUGHREY Kevin		
Ballina	SMITH Tamara	The Greens NSW	Yes
Ballina	BOOYENS Josh	National Party of Australia – NSW	
Balmain	BISGROVE Stephen	Sustainable Australia Party – Stop Overdevelopment / Corruption	

District	Candidate name	Affiliation	Elected
Balmain	SCOTT Philippa	Australian Labor Party (NSW Branch)	
Balmain	SHETTY Kobi	The Greens NSW	Yes
Balmain	STELZER Glen	Public Education Party	
Balmain	LEACH Freya	The Liberal Party of Australia, New South Wales Division	
Bankstown	BODDY Max		
Bankstown	NASEDRA Isaac	The Greens NSW	
Bankstown	ALYATEEM Yosra	Informed Medical Options Party (IMOP)	
Bankstown	GLINKA Marianne	Public Education Party	
Bankstown	DIB Jihad	Australian Labor Party (NSW Branch)	Yes
Bankstown	TALEB Nathan	The Liberal Party of Australia, New South Wales Division	
Bankstown	HABIB Luke	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Bankstown	ABOU-HAIDAR Dorlene	Animal Justice Party	
Barwon	ROBERTS-GARNSEY Joshua	Australian Labor Party (NSW Branch)	
Barwon	BUTLER Roy		Yes
Barwon	TURNER Annette	National Party of Australia – NSW	
Barwon	BRITTON Paul	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Barwon	MCBRIDE Thomas	Public Education Party	
Barwon	HOWE Stuart		
Barwon	SCHULTZ Pat	The Greens NSW	
Barwon	HARTLEY Ben	Legalise Cannabis NSW Party	
Bathurst	SINCLAIR Craig	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Bathurst	NANKERVIS Kay	The Greens NSW	
Bathurst	WILSON Burchell	Liberal Democratic Party	
Bathurst	ZBIK Antony	Legalise Cannabis NSW Party	
Bathurst	BEGG Michael	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Bathurst	TOOLE Paul	National Party of Australia – NSW	Yes
Bathurst	TICEHURST Martin		

District	Candidate name	Affiliation	Elected
Bathurst	SHAW Cameron	Australian Labor Party (NSW Branch)	
Bega	ABBOTT Debra	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Bega	WHITE Greg	Legalise Cannabis NSW Party	
Bega	GRIFF Cathy	The Greens NSW	
Bega	GEISELHART Karin	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Bega	HAWKINS Jeffrey		
Bega	FITZPATRICK Russell	The Liberal Party of Australia, New South Wales Division	
Bega	HOLLAND Michael	Australian Labor Party (NSW Branch)	Yes
Blacktown	KERIN Emma	Animal Justice Party	
Blacktown	FOSTER Peter	Legalise Cannabis NSW Party	
Blacktown	MURPHY Patrick	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Blacktown	MURPHY Patrick	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Blacktown	GREEN Allan	The Liberal Party of Australia, New South Wales Division	
Blacktown	HOBBS Leonard	The Greens NSW	
Blacktown	MISHALOW Alexander	Liberal Democratic Party	
Blacktown	BALI Stephen	Australian Labor Party (NSW Branch)	Yes
Blue Mountains	DOYLE Trish	Australian Labor Party (NSW Branch)	Yes
Blue Mountains	KEIGHTLEY Greg	Animal Justice Party	
Blue Mountains	PALMER Michelle	Informed Medical Options Party (IMOP)	
Blue Mountains	MARSCHALL Richard	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Blue Mountains	BRUCE Sophie-Anne	The Liberal Party of Australia, New South Wales Division	
Blue Mountains	CONDIE Jenna	The Greens NSW	
Cabramatta	SMALING Mark	Liberal Democratic Party	
Cabramatta	CHIA DAVIS Roz	The Greens NSW	
Cabramatta	HOANG Kate		

District	Candidate name	Affiliation	Elected
Cabramatta	NGUYEN Courtney	The Liberal Party of Australia, New South Wales Division	
Cabramatta	VO Tri	Australian Labor Party (NSW Branch)	Yes
Cabramatta	MOUSSA Randa	Animal Justice Party	
Camden	BIJOK Jessie	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Camden	DOLLIN Garry	Pauline Hanson's One Nation	
Camden	RIVERA Emily	The Greens NSW	
Camden	QUINNELL Sally	Australian Labor Party (NSW Branch)	Yes
Camden	SIDGREAVES Peter	The Liberal Party of Australia, New South Wales Division	
Campbelltown	SICARI Rosa (Rosetta)	Liberal Democratic Party	
Campbelltown	TWADDELL Matt	Animal Justice Party	
Campbelltown	PAUDEL Gypshouna	The Liberal Party of Australia, New South Wales Division	
Campbelltown	RIVERA Jayden	The Greens NSW	
Campbelltown	JONES Howard	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Campbelltown	WARREN Greg	Australian Labor Party (NSW Branch)	Yes
Campbelltown	GALIELL Tofick		
Campbelltown	ZAHRA Adam	Pauline Hanson's One Nation	
Canterbury	COTSIS Sophie	Australian Labor Party (NSW Branch)	Yes
Canterbury	SINACORI Joe	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Canterbury	KING Kacey	Animal Justice Party	
Canterbury	SCHOTT Bradley	The Greens NSW	
Canterbury	HADCHITI Vanessa	Liberal Democratic Party	
Canterbury	BOUMANSOUR Nemr	The Liberal Party of Australia, New South Wales Division	
Castle Hill	TRINH My	Liberal Democratic Party	
Castle Hill	ORGAN Nathan		
Castle Hill	CARTWRIGHT Tina	Australian Labor Party (NSW Branch)	
Castle Hill	CLAUS Eric	Sustainable Australia Party – Stop Overdevelopment / Corruption	

District	Candidate name	Affiliation	Elected
Castle Hill	KORDROSTAMI Tina	The Greens NSW	
Castle Hill	HODGES Mark	The Liberal Party of Australia, New South Wales Division	Yes
Cessnock	FENWICK Andrew	Legalise Cannabis NSW Party	
Cessnock	BARNHAM Ash	National Party of Australia – NSW	
Cessnock	JONES Graham	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Cessnock	KING Quintin	Pauline Hanson's One Nation	
Cessnock	DAVIES Victoria	Animal Justice Party	
Cessnock	NAIRN Llynda	The Greens NSW	
Cessnock	BARR Clayton	Australian Labor Party (NSW Branch)	Yes
Charlestown	HARRISON Jodie	Australian Labor Party (NSW Branch)	Yes
Charlestown	ANTCLIFF Jack	The Liberal Party of Australia, New South Wales Division	
Charlestown	ROLFE Marie	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Charlestown	WATKINSON Greg	The Greens NSW	
Clarence	RAYNER Mark	Legalise Cannabis NSW Party	
Clarence	CLANCY Greg	The Greens NSW	
Clarence	NOVAK Debrah		
Clarence	WILLIAMSON Richie	National Party of Australia – NSW	Yes
Clarence	ANKERSMIT Leon	Australian Labor Party (NSW Branch)	
Clarence	DUROUX Brett		
Clarence	LEVI Nicki		
Clarence	KELLER George	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Coffs Harbour	JUDGE Tony	Australian Labor Party (NSW Branch)	
Coffs Harbour	SINGH Gurmesh	National Party of Australia – NSW	Yes
Coffs Harbour	CULLY Ruth	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Coffs Harbour	ELLISTON Tihema	Legalise Cannabis NSW Party	
Coffs Harbour	TOWNLEY Sally		
Coffs Harbour	PEARCE Kellie	Animal Justice Party	

District	Candidate name	Affiliation	Elected
Coffs Harbour	NOTT Tim	The Greens NSW	
Coogee	MURRAY Lluisa	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Coogee	VON MUENSTER Kylie	The Liberal Party of Australia, New South Wales Division	
Coogee	O'NEILL Marjorie	Australian Labor Party (NSW Branch)	Yes
Coogee	MOSQUERA Alicia	Informed Medical Options Party (IMOP)	
Coogee	PANDOLFINI Rafaela	The Greens NSW	
Coogee	GARROD Simon	Animal Justice Party	
Cootamundra	YOUNG Robert		
Cootamundra	COOKE Steph	National Party of Australia – NSW	Yes
Cootamundra	DAHLITZ Chris	Australian Labor Party (NSW Branch)	
Cootamundra	O'ROURKE Chris	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Cootamundra	CULLEN Jake	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Cootamundra	FISHER Brian		
Cootamundra	PASSLOW Jeffrey	The Greens NSW	
Cronulla	CONSTANCE Paul	Australian Labor Party (NSW Branch)	
Cronulla	DYSON Catherine	The Greens NSW	
Cronulla	IBBOTSON Craig	Pauline Hanson's One Nation	
Cronulla	GIANNAKIS Domna	Informed Medical Options Party (IMOP)	
Cronulla	MORAN Richard	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Cronulla	SPEAKMAN Mark	The Liberal Party of Australia, New South Wales Division	Yes
Davidson	CROSS Matt	The Liberal Party of Australia, New South Wales Division	Yes
Davidson	KITSON Janine		
Davidson	ATKINSON Caroline	The Greens NSW	
Davidson	WILLS Andrew	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Davidson	EDELSTEIN Karyn	Australian Labor Party (NSW Branch)	

District	Candidate name	Affiliation	Elected
Drummoyne	DI PASQUA Stephanie	The Liberal Party of Australia, New South Wales Division	Yes
Drummoyne	CONAGHAN Patrick	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Drummoyne	JAGO Charles	The Greens NSW	
Drummoyne	LITTLE Julia	Australian Labor Party (NSW Branch)	
Dubbo	BLACK Josh	Australian Labor Party (NSW Branch)	
Dubbo	RICHARDSON Kate	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Dubbo	THOMAS Robyn	The Greens NSW	
Dubbo	SAUNDERS Dugald	National Party of Australia – NSW	Yes
Dubbo	LITTLEJOHN Mark	Legalise Cannabis NSW Party	
Dubbo	NUGENT Anthony	Sustainable Australia Party – Stop Overdevelopment / Corruption	
East Hills	WILKINSON Kylie	Australian Labor Party (NSW Branch)	Yes
East Hills	BROGAN Chris		
East Hills	LINDSAY Wendy	The Liberal Party of Australia, New South Wales Division	
East Hills	HANNA Natalie	The Greens NSW	
Epping	BRADLEY Phil	The Greens NSW	
Epping	MASCARENHAS Alan	Australian Labor Party (NSW Branch)	
Epping	WATERSON Victor		
Epping	MOLLOY Bradley	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Epping	PERROTTET Dominic	The Liberal Party of Australia, New South Wales Division	Yes
Epping	TERCEIRO Carmen	Animal Justice Party	
Fairfield	LOVERO Severino		
Fairfield	ODESH Hikmat		
Fairfield	SALIBA David	Australian Labor Party (NSW Branch)	Yes
Fairfield	POTKONYAK Jacob	Legalise Cannabis NSW Party	
Fairfield	BALL Monika	The Greens NSW	
Fairfield	PILLAI Aaryen	The Liberal Party of Australia, New South Wales Division	

District	Candidate name	Affiliation	Elected
Fairfield	LEGGATT Robyn	Public Education Party	
Gosford	VAN HAREN Hilary	The Greens NSW	
Gosford	BOCKING Dee	The Liberal Party of Australia, New South Wales Division	
Gosford	TESCH Liesl	Australian Labor Party (NSW Branch)	Yes
Gosford	SOETENS Ineka	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Gosford	BELLAMY Lisa		
Gosford	MCCALLUM Emily	Animal Justice Party	
Gosford	FREEMAN Larry	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Goulburn	PILBROW Michael	Australian Labor Party (NSW Branch)	
Goulburn	LOGAN Margaret	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Goulburn	TUCKERMAN Wendy	The Liberal Party of Australia, New South Wales Division	Yes
Goulburn	WOOD Andrew	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Goulburn	OLSEN Gregory John	The Greens NSW	
Granville	SAAD Charbel		
Granville	CASTLE Janet	The Greens NSW	
Granville	FINN Julia	Australian Labor Party (NSW Branch)	Yes
Granville	LAXMANALAL Rohan	Animal Justice Party	
Granville	HADCHITI John	Liberal Democratic Party	
Granville	MASUM Anm	The Liberal Party of Australia, New South Wales Division	
Hawkesbury	POPOVSKI Susane	Pauline Hanson's One Nation	
Hawkesbury	MAGUIRE Angela		
Hawkesbury	DOGRAMACI Eddie	The Small Business Party	
Hawkesbury	KOTLASH Amanda	Australian Labor Party (NSW Branch)	
Hawkesbury	WHEELER Danielle	The Greens NSW	
Hawkesbury	CARREY Elissa	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Hawkesbury	PRESTON Robyn	The Liberal Party of Australia, New South Wales Division	Yes

District	Candidate name	Affiliation	Elected
Hawkesbury	PETTITT Tony		
Heathcote	STUART Maryanne	Australian Labor Party (NSW Branch)	Yes
Heathcote	EVANS Lee	The Liberal Party of Australia, New South Wales Division	
Heathcote	RIACH Cooper	The Greens NSW	
Heathcote	BRAGG Matthew	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Heathcote	AMBROSE Sean	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Heathcote	PERKETT Arielle	Animal Justice Party	
Heffron	EVANS Rachel	Socialist Alliance	
Heffron	PAULL Linda	Animal Justice Party	
Heffron	DEVINE Francis	The Liberal Party of Australia, New South Wales Division	
Heffron	KILHAM Sarina		
Heffron	VEITCH Philpa	The Greens NSW	
Heffron	HOENIG Ron	Australian Labor Party (NSW Branch)	Yes
Heffron	GODFREY Ann	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Holsworthy	AYYAD Tina	The Liberal Party of Australia, New South Wales Division	Yes
Holsworthy	MARONEY Mick	Australian Labor Party (NSW Branch)	
Holsworthy	SWINBOURN Deborah		
Holsworthy	KERLE Chris	The Greens NSW	
Holsworthy	INGARFILL James	Pauline Hanson's One Nation	
Hornsby	GRIMSHAW Jeffrey	Liberal Democratic Party	
Hornsby	BUSCH Steve	Pauline Hanson's One Nation	
Hornsby	CASWELL Benjamin		
Hornsby	THOMAS Justin	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Hornsby	SALITRA Tania	The Greens NSW	
Hornsby	KEAN Matt	The Liberal Party of Australia, New South Wales Division	Yes
Hornsby	DIGNAM Adrian		

District	Candidate name	Affiliation	Elected
Hornsby	HOILE Melissa	Australian Labor Party (NSW Branch)	
Keira	DOCKER Kit	The Greens NSW	
Keira	PARK Ryan	Australian Labor Party (NSW Branch)	Yes
Keira	ANTHONY Andrew	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Keira	SHIPP Noah	The Liberal Party of Australia, New South Wales Division	
Kellyville	GHAYYEM Thelma	The Greens NSW	
Kellyville	WILLIAMS Ray	The Liberal Party of Australia, New South Wales Division	Yes
Kellyville	KARKI Alex	Australian Labor Party (NSW Branch)	
Kellyville	AKKARI Ingrid	Animal Justice Party	
Kellyville	BOYD Heather	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Kiama	GILL John	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Kiama	GRAY Tonia	The Greens NSW	
Kiama	GIBBONS Melanie	The Liberal Party of Australia, New South Wales Division	
Kiama	WARD Gareth		Yes
Kiama	McINERNEY Katelin	Australian Labor Party (NSW Branch)	
Kogarah	MINNS Chris	Australian Labor Party (NSW Branch)	Yes
Kogarah	YUEN Tracy	The Greens NSW	
Kogarah	STOLZ Troy		
Kogarah	CHUNG Craig	The Liberal Party of Australia, New South Wales Division	
Lake Macquarie	LESAGE Jason	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Lake Macquarie	PIPER Greg		Yes
Lake Macquarie	GORE-ESCALANTE Felipe	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Lake Macquarie	BEER Joshua	The Liberal Party of Australia, New South Wales Division	
Lake Macquarie	RYAN Steve	Australian Labor Party (NSW Branch)	
Lake Macquarie	GRIERSON Kim	The Greens NSW	

District	Candidate name	Affiliation	Elected
Lane Cove	DAVIDSON Victoria		
Lane Cove	ROBERTS Anthony	The Liberal Party of Australia, New South Wales Division	Yes
Lane Cove	PEDERSEN Penelope	Australian Labor Party (NSW Branch)	
Lane Cove	ARMSTRONG Heather	The Greens NSW	
Lane Cove	WISE Ben	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Leppington	FEDELI Therese	The Liberal Party of Australia, New South Wales Division	
Leppington	SAJN Danica	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Leppington	SHUKLA Apurva	The Greens NSW	
Leppington	TAMHANKAR Mandar	Pauline Hanson's One Nation	
Leppington	HAGARTY Nathan	Australian Labor Party (NSW Branch)	Yes
Lismore	BERTALLI Matthew	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Lismore	SAFFIN Janelle	Australian Labor Party (NSW Branch)	Yes
Lismore	McKENZIE James		
Lismore	CROSTHWAITE Allen		
Lismore	ROSAYRO Vanessa	Animal Justice Party	
Lismore	HONNIBALL Ross	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Lismore	GUISE Adam	The Greens NSW	
Lismore	RUBIN Alex	National Party of Australia - NSW	
Liverpool	KALIYANDA Charishma	Australian Labor Party (NSW Branch)	Yes
Liverpool	AMMOUN Richard	The Liberal Party of Australia, New South Wales Division	
Liverpool	CROFT Amy	The Greens NSW	
Liverpool	HANCOCK Gabriel	Animal Justice Party	
Liverpool	HARRIS Linda		
Liverpool	ANDJELKOVIC Milomir (Michael)		
Londonderry	CAR Prue	Australian Labor Party (NSW Branch)	Yes
Londonderry	TALAKOLA Snigdha (Samantha)	The Liberal Party of Australia, New South Wales Division	

District	Candidate name	Affiliation	Elected
Londonderry	MAURICE David	The Greens NSW	
Londonderry	TESTER Luke	Pauline Hanson's One Nation	
Londonderry	BOWEN David	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Macquarie Fields	WILSON Donna	Animal Justice Party	
Macquarie Fields	CLARK Michael	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Macquarie Fields	NOIOSI Gemma	Liberal Democratic Party	
Macquarie Fields	CHOWDHURY Khairul	The Liberal Party of Australia, New South Wales Division	
Macquarie Fields	LEE Seamus	The Greens NSW	
Macquarie Fields	CHANTHIVONG Anoulack	Australian Labor Party (NSW Branch)	Yes
Maitland	KNOX Campbell	The Greens NSW	
Maitland	COOPER Michael	The Liberal Party of Australia, New South Wales Division	
Maitland	TURNER Neil	Pauline Hanson's One Nation	
Maitland	FERGUSON Sam	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Maitland	LEE Alex		
Maitland	DRYDEN Daniel	Legalise Cannabis NSW Party	
Maitland	AITCHISON Jenny	Australian Labor Party (NSW Branch)	Yes
Manly	ALTMAN Phillip		
Manly	HACKMAN Joeline		
Manly	LE ROUX Terry	The Greens NSW	
Manly	PALETTO Emanuele	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Manly	MASON Bailey	Animal Justice Party	
Manly	THATCHER Jasper	Australian Labor Party (NSW Branch)	
Manly	GRIFFIN James	The Liberal Party of Australia, New South Wales Division	Yes
Maroubra	AGUILAR Roderick	Informed Medical Options Party (IMOP)	
Maroubra	CHAPPLE Kym	The Greens NSW	
Maroubra	ISENHEIM Monique	Sustainable Australia Party – Stop Overdevelopment / Corruption	

District	Candidate name	Affiliation	Elected
Maroubra	DALEY Michael	Australian Labor Party (NSW Branch)	Yes
Maroubra	WILLIAMSON Holly	Animal Justice Party	
Maroubra	BURST Bill	The Liberal Party of Australia, New South Wales Division	
Miranda	HUGHES Nick	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Miranda	PETINOS Eleni	The Liberal Party of Australia, New South Wales Division	Yes
Miranda	MOORE Martin	The Greens NSW	
Miranda	EARLE Simon	Australian Labor Party (NSW Branch)	
Miranda	CAMERON Gaye		
Monaro	WHAN Steven	Australian Labor Party (NSW Branch)	Yes
Monaro	THALER Andrew		
Monaro	PRYOR Chris	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Monaro	HOLGATE James	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Monaro	GOLDIE Jenny	The Greens NSW	
Monaro	TANSON Josie	Legalise Cannabis NSW Party	
Monaro	OVERALL Nichole	National Party of Australia – NSW	
Mount Druitt	SUNIL JAYADEVAN Kandathil	The Liberal Party of Australia, New South Wales Division	
Mount Druitt	DUDAS Andrew	Animal Justice Party	
Mount Druitt	ATALLA Edmond	Australian Labor Party (NSW Branch)	Yes
Mount Druitt	MORSHED Asm	The Greens NSW	
Murray	CARLE Adrian	Legalise Cannabis NSW Party	
Murray	BULJUBASIC Mirsad (Max)	Australian Labor Party (NSW Branch)	
Murray	FLORANCE Michael	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Murray	BETTS Peta	National Party of Australia – NSW	
Murray	FARRELL Kevin	Public Education Party	
Murray	GREGORY Desiree	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Murray	KING Amelia	The Greens NSW	

District	Candidate name	Affiliation	Elected
Murray	DALTON Helen		Yes
Murray	ADAMSON Greg		
Murray	LANDINI David		
Myall Lakes	MANLEY Keys	Legalise Cannabis NSW Party	
Myall Lakes	SPENCE Eleanor	The Greens NSW	
Myall Lakes	VANSTONE Mark	Australian Labor Party (NSW Branch)	
Myall Lakes	BENDALL Jason		
Myall Lakes	THOMPSON Tanya	National Party of Australia – NSW	Yes
Myall Lakes	McDONALD-PRITCHARD Maree	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Newcastle	MACKENZIE John	The Greens NSW	
Newcastle	TRIEBSEES Thomas	The Liberal Party of Australia, New South Wales Division	
Newcastle	LEKA Niko	Socialist Alliance	
Newcastle	CLAYDON Tim	Legalise Cannabis NSW Party	
Newcastle	CRAKANTHORP Tim	Australian Labor Party (NSW Branch)	Yes
Newcastle	TAYLOR Freya	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Newtown	LEONG Jenny	The Greens NSW	Yes
Newtown	HETHERINGTON David	Australian Labor Party (NSW Branch)	
Newtown	THOMAS Christopher	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Newtown	DOUSKOU Fiona	The Liberal Party of Australia, New South Wales Division	
North Shore	ANTARES Michael	Informed Medical Options Party (IMOP)	
North Shore	CONWAY Helen		
North Shore	SANTER Godfrey	Australian Labor Party (NSW Branch)	
North Shore	COMMINS Lachlan	Sustainable Australia Party – Stop Overdevelopment / Corruption	
North Shore	MULLAN James	The Greens NSW	
North Shore	WILSON Felicity	The Liberal Party of Australia, New South Wales Division	Yes
North Shore	WALKER Victoria		

District	Candidate name	Affiliation	Elected
Northern Tablelands	CROWE Alan	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Northern Tablelands	O'LOGHLIN Peter	Legalise Cannabis NSW Party	
Northern Tablelands	WOOD Darshan (Billy)		
Northern Tablelands	MARSHALL Adam	National Party of Australia – NSW	Yes
Northern Tablelands	HAMPTON Gary	Public Education Party	
Northern Tablelands	LANGENBERG Yvonne	Australian Labor Party (NSW Branch)	
Northern Tablelands	LEDGER Natasha		
Northern Tablelands	O'HARA Elizabeth	The Greens NSW	
Northern Tablelands	HAMMOND Margaret	Liberal Democratic Party	
Northern Tablelands	HAY Michael	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Oatley	HUNT Glenn	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Oatley	MORT Natalie		
Oatley	AMBIHAIPAHAR Ash	Australian Labor Party (NSW Branch)	
Oatley	COURE Mark	The Liberal Party of Australia, New South Wales Division	Yes
Oatley	VANDIJK Taylor	The Greens NSW	
Orange	BATE George	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Orange	BRAMLEY Gillian	Public Education Party	
Orange	HOLT Patricia	Legalise Cannabis NSW Party	
Orange	DONATO Philip		Yes
Orange	MALLARD David	The Greens NSW	
Orange	KELLY Aaron	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Orange	DUNN Heather	Australian Labor Party (NSW Branch)	
Orange	MILETO Tony	National Party of Australia – NSW	

District	Candidate name	Affiliation	Elected
Oxley	KING Dominic	The Greens NSW	
Oxley	DRAIN Bianca	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Oxley	MATHEW Megan	Legalise Cannabis NSW Party	
Oxley	VIGORS Gregory	Australian Labor Party (NSW Branch)	
Oxley	FAIRHALL Joshua		
Oxley	IRWIN Troy		
Oxley	KEMP Michael	National Party of Australia – NSW	Yes
Parramatta	DAVIS Donna	Australian Labor Party (NSW Branch)	Yes
Parramatta	HAMMOND Ben	The Greens NSW	
Parramatta	MULLENS Katie	The Liberal Party of Australia, New South Wales Division	
Parramatta	SINGH Mritunjay	Pauline Hanson's One Nation	
Parramatta	MOLL David	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Penrith	BLAZI Vanessa	Animal Justice Party	
Penrith	PATEMAN Timothy	Legalise Cannabis NSW Party	
Penrith	TOUSSI Fatemeh (Mino)	The Greens NSW	
Penrith	AYRES Stuart	The Liberal Party of Australia, New South Wales Division	
Penrith	BROWN Geoff	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Penrith	McKEOWN Karen	Australian Labor Party (NSW Branch)	Yes
Penrith	McWILLIAMS Belinda	Pauline Hanson's One Nation	
Pittwater	AMON Roderick (Rory)	The Liberal Party of Australia, New South Wales Division	Yes
Pittwater	SCRUBY Jacqui		
Pittwater	GREEN Hilary	The Greens NSW	
Pittwater	LAW Craig	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Pittwater	QUINN Jeffrey	Australian Labor Party (NSW Branch)	
Port Macquarie	MOGOROVICH Silvia	Informed Medical Options Party (IMOP)	
Port Macquarie	WATSON Stuart	The Greens NSW	

District	Candidate name	Affiliation	Elected
Port Macquarie	WILLIAMS Leslie	The Liberal Party of Australia, New South Wales Division	Yes
Port Macquarie	McMULLEN Keith	Australian Labor Party (NSW Branch)	
Port Macquarie	MCCMAHON Vivian	Legalise Cannabis NSW Party	
Port Macquarie	PINSON Peta	National Party of Australia – NSW	
Port Macquarie	COLEMAN Edward	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Port Macquarie	READ Benjamin	Liberal Democratic Party	
Port Stephens	BUCKMASTER Michelle	Animal Justice Party	
Port Stephens	JENSEN Jordan	The Greens NSW	
Port Stephens	KETAS Angela	Informed Medical Options Party (IMOP)	
Port Stephens	WASHINGTON Kate	Australian Labor Party (NSW Branch)	Yes
Port Stephens	ERRINGTON Nathan	The Liberal Party of Australia, New South Wales Division	
Port Stephens	WATSON Mark	Pauline Hanson's One Nation	
Port Stephens	JELFS Beverley	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Prospect	BIAG Kalvin	The Liberal Party of Australia, New South Wales Division	
Prospect	SELVENTHIRAN Sujana	The Greens NSW	
Prospect	WALSH Emily	Animal Justice Party	
Prospect	McDERMOTT Hugh	Australian Labor Party (NSW Branch)	Yes
Prospect	SHAFER Peter	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Riverstone	VAIL Rob	The Greens NSW	
Riverstone	BELCASTRO Anthony	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Riverstone	HORAN Tim	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Riverstone	KUMAR Mohit	The Liberal Party of Australia, New South Wales Division	
Riverstone	PONNAMBALAM Tabitha		
Riverstone	KIRBY Warren	Australian Labor Party (NSW Branch)	Yes
Rockdale	RANA Muhammad	The Liberal Party of Australia, New South Wales Division	

District	Candidate name	Affiliation	Elected
Rockdale	MORRIS James	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Rockdale	KAMPER Steve	Australian Labor Party (NSW Branch)	Yes
Rockdale	STRONG Peter	The Greens NSW	
Ryde	LANE Jordan	The Liberal Party of Australia, New South Wales Division	Yes
Ryde	DEVINE Barry	Informed Medical Options Party (IMOP)	
Ryde	JELFS Bradley	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Ryde	HOWISON Lyndal	Australian Labor Party (NSW Branch)	
Ryde	EDINGTON Sophie	The Greens NSW	
Shellharbour	DAVIS Kenneth	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Shellharbour	HOMER Chris		
Shellharbour	WATSON Anna	Australian Labor Party (NSW Branch)	Yes
Shellharbour	GRANATA Rita	Liberal Democratic Party	
Shellharbour	WILLMOTT Mia	Legalise Cannabis NSW Party	
Shellharbour	DIXON Jamie	The Greens NSW	
Shellharbour	BARNES Mikayla	The Liberal Party of Australia, New South Wales Division	
South Coast	KORTEN Robert	Shooters, Fishers and Farmers Party (NSW) Incorporated	
South Coast	SIKORA Luke	The Liberal Party of Australia, New South Wales Division	
South Coast	BUTLER Liza	Australian Labor Party (NSW Branch)	Yes
South Coast	DIGIGLIO Nina		
South Coast	BUFFIER Deanna	Sustainable Australia Party – Stop Overdevelopment / Corruption	
South Coast	FINDLEY Amanda	The Greens NSW	
Strathfield	BALADI John-Paul	The Liberal Party of Australia, New South Wales Division	
Strathfield	LI Jason Yat-Sen	Australian Labor Party (NSW Branch)	Yes
Strathfield	BUCKLEY Courtney	The Greens NSW	
Strathfield	SAIDI Maurie	Animal Justice Party	

District	Candidate name	Affiliation	Elected
Strathfield	CROCKER Wally	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Summer Hill	HAYLEN Jo	Australian Labor Party (NSW Branch)	Yes
Summer Hill	SWAN Michael	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Summer Hill	CHENG Bowen	The Liberal Party of Australia, New South Wales Division	
Summer Hill	HADDAD Sandra	Animal Justice Party	
Summer Hill	ANTONIOU Izabella	The Greens NSW	
Swansea	ELLIS Alan	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Swansea	FOORD Heather	The Greens NSW	
Swansea	ANDERSON Megan	The Liberal Party of Australia, New South Wales Division	
Swansea	CATLEY Yasmin	Australian Labor Party (NSW Branch)	Yes
Swansea	JACKSON Paul	Liberal Democratic Party	
Sydney	TITO Skye	Australian Labor Party (NSW Branch)	
Sydney	GREENWICH Alex		Yes
Sydney	WHITTON Mark	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Sydney	WARD Nick	The Greens NSW	
Sydney	STANTON Phyllisse	The Liberal Party of Australia, New South Wales Division	
Tamworth	BROOKE Ryan	The Greens NSW	
Tamworth	McCREIDIE Rebecca	Informed Medical Options Party (IMOP)	
Tamworth	RAYE Sue	Legalise Cannabis NSW Party	
Tamworth	RODDA Mark		
Tamworth	ANDERSON Kevin	National Party of Australia – NSW	Yes
Tamworth	DRAIN Colin	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Tamworth	McGRATH Kate	Australian Labor Party (NSW Branch)	
Tamworth	SCANLAN Matthew	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Terrigal	RIGG Wayne	Sustainable Australia Party – Stop Overdevelopment / Corruption	

District	Candidate name	Affiliation	Elected
Terrigal	CROUCH Adam	The Liberal Party of Australia, New South Wales Division	Yes
Terrigal	da SILVA Imogen	The Greens NSW	
Terrigal	BOUGHTON Sam	Australian Labor Party (NSW Branch)	
The Entrance	LAMB Georgia	Sustainable Australia Party – Stop Overdevelopment / Corruption	
The Entrance	MEHAN David	Australian Labor Party (NSW Branch)	Yes
The Entrance	PELAREK Fardin	Animal Justice Party	
The Entrance	BRACKEN Nathan	The Liberal Party of Australia, New South Wales Division	
The Entrance	STEPHENSON Ralph	The Greens NSW	
The Entrance	LOGAN Bentley	Liberal Democratic Party	
Tweed	McDONALD Ronald	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Tweed	SELAN Marc	Legalise Cannabis NSW Party	
Tweed	PROVEST Geoff	National Party of Australia – NSW	Yes
Tweed	ELLIOT Craig	Australian Labor Party (NSW Branch)	
Tweed	DENHAM Ciara	The Greens NSW	
Tweed	HEARDER Susie	Animal Justice Party	
Upper Hunter	LONERGAN Tony	The Greens NSW	
Upper Hunter	WHITE James	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Upper Hunter	LAYZELL Dave	National Party of Australia – NSW	Yes
Upper Hunter	McNAMARA Dale		
Upper Hunter	WATSON Peree	Australian Labor Party (NSW Branch)	
Upper Hunter	LILLICRAP Tom	Legalise Cannabis NSW Party	
Upper Hunter	BLAIR Calum	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Vaucluse	DUNNE Kay	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Vaucluse	CAMERON Edward	Animal Justice Party	
Vaucluse	KANAK Dominic WY	The Greens NSW	
Vaucluse	MERTEN Margaret	Australian Labor Party (NSW Branch)	
Vaucluse	FREYER Karen		

District	Candidate name	Affiliation	Elected
Vaucluse	STEVENS Gail	Liberal Democratic Party	
Vaucluse	SLOANE Kellie	The Liberal Party of Australia, New South Wales Division	Yes
Wagga Wagga	GOODLASS Ray	The Greens NSW	
Wagga Wagga	GENTLES Raymond	Public Education Party	
Wagga Wagga	SMITH Christopher	Shooters, Fishers and Farmers Party (NSW) Incorporated	
Wagga Wagga	HAM Julia	The Liberal Party of Australia, New South Wales Division	
Wagga Wagga	FOLEY Keryn	Australian Labor Party (NSW Branch)	
Wagga Wagga	McGIRR Joe		Yes
Wagga Wagga	BENJAMIN Andrianna	National Party of Australia – NSW	
Wahroonga	ABEDINI Parsia	Australian Labor Party (NSW Branch)	
Wahroonga	HENSKENS Alister	The Liberal Party of Australia, New South Wales Division	Yes
Wahroonga	MOLLOY Stephen	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Wahroonga	HAYWOOD Kristyn		
Wahroonga	DASHWOOD Tim	The Greens NSW	
Wakehurst	WRIGHT Sue	Australian Labor Party (NSW Branch)	
Wakehurst	MAWSON Greg	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Wakehurst	SORENSEN Susan	Animal Justice Party	
Wakehurst	HRNJAK Ethan	The Greens NSW	
Wakehurst	WILLIAMS Toby	The Liberal Party of Australia, New South Wales Division	
Wakehurst	REGAN Michael		Yes
Wallsend	WATKINS Rebecca	The Greens NSW	
Wallsend	NOLAN Anna	Animal Justice Party	
Wallsend	DI GIROLAMO Pietro	Pauline Hanson's One Nation	
Wallsend	HORNERY Sonia	Australian Labor Party (NSW Branch)	Yes
Wallsend	STARRETT Joshua		
Wallsend	PULL Callum	The Liberal Party of Australia, New South Wales Division	

District	Candidate name	Affiliation	Elected
Wallsend	AKERS Paul	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Willoughby	GRIFFIN Sarah	Australian Labor Party (NSW Branch)	
Willoughby	MCGRATH Edmund	The Greens NSW	
Willoughby	PENN Larissa		
Willoughby	WANT Michael	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Willoughby	JAMES Tim	The Liberal Party of Australia, New South Wales Division	Yes
Winston Hills	TAYLOR Mark	The Liberal Party of Australia, New South Wales Division	Yes
Winston Hills	CHADSZINOW Anthony	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Winston Hills	PANDEY Sameer	Australian Labor Party (NSW Branch)	
Winston Hills	ATKINS Damien	The Greens NSW	
Wollondilly	BRAIDEN Angus	Australian Labor Party (NSW Branch)	
Wollondilly	HAAG Ildiko	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Wollondilly	HANNAN Judy		Yes
Wollondilly	THOMPSON Rebecca	Pauline Hanson's One Nation	
Wollondilly	SMITH Nathaniel	The Liberal Party of Australia, New South Wales Division	
Wollondilly	WEBSTER Jason	The Greens NSW	
Wollongong	JOHNSON Joel	The Liberal Party of Australia, New South Wales Division	
Wollongong	SCULLY Paul	Australian Labor Party (NSW Branch)	Yes
Wollongong	BLAKEY Cath	The Greens NSW	
Wollongong	NELSON Kristen	Animal Justice Party	
Wyang	SQUIRES Matt	The Liberal Party of Australia, New South Wales Division	
Wyang	WILLIAMSON Doug	The Greens NSW	
Wyang	NEWBURY Susan	Sustainable Australia Party – Stop Overdevelopment / Corruption	
Wyang	HARRIS David	Australian Labor Party (NSW Branch)	Yes
Wyang	STEVENSON Martin	Pauline Hanson's One Nation	

Appendix G: Candidates nominated for the Legislative Council, 2023 NSW State election

Candidate name	Affiliation	Group label	Elected
SHELTON Lyle		A	
HELVADJIAN Barbara		A	
MODARELLI Don		A	
STRETTON Richard		A	
GREEN Jamie		A	
BUTT Robyn		A	
McLENNAN Graham		A	
DENGATE Craig		A	
MARSH Nathaniel		A	
BRADBURY Tracey		A	
WINDEYER Penelope		A	
IRAWAN Benjamin		A	
DUIGNAN Prue		A	
RYAN Glen		A	
CHAPLIN Michael		A	
KELLY Craig		B	
ROBERTSON Andrew		B	
SAAD Rosemary		B	
KHOURY Anne		B	
MACKIN Dean		B	
NALBANDIAN Robert		B	
ROBERTSON Amber		B	
WRIGHTSON M		B	
KELLY Philip		B	
WATERS Alison	Animal Justice Party	C	
WARD Louise	Animal Justice Party	C	
STELLINO Matt	Animal Justice Party	C	
BLASONATO Catherine	Animal Justice Party	C	

Candidate name	Affiliation	Group label	Elected
JONES Petra	Animal Justice Party	C	
MURPHY Patrick	Animal Justice Party	C	
MURPHY Patrick	Animal Justice Party	C	
WOODGATE Naomi	Animal Justice Party	C	
JANAWAY Ann	Animal Justice Party	C	
WARD Catherine	Animal Justice Party	C	
WATERS Susannah	Animal Justice Party	C	
ROMANOVSKY Teresa	Animal Justice Party	C	
BERTRAM Jordy	Animal Justice Party	C	
THOMPSON Kramer	Animal Justice Party	C	
ROBERTSON Ellie	Animal Justice Party	C	
HAHN Christine	Animal Justice Party	C	
PATERSON Kate	Animal Justice Party	C	
MUELLER Lana	Animal Justice Party	C	
HOUSSOS Courtney	Australian Labor Party (NSW Branch)	D	Yes
JACKSON Rose	Australian Labor Party (NSW Branch)	D	Yes
MURPHY Cameron	Australian Labor Party (NSW Branch)	D	Yes
SUVAAL Emily	Australian Labor Party (NSW Branch)	D	Yes
GRAHAM John	Australian Labor Party (NSW Branch)	D	Yes
NANVA Bob	Australian Labor Party (NSW Branch)	D	Yes
LAWRENCE Stephen	Australian Labor Party (NSW Branch)	D	Yes
KAINE Sarah	Australian Labor Party (NSW Branch)	D	Yes
VEITCH Mick	Australian Labor Party (NSW Branch)	D	
PRINS Stewart	Australian Labor Party (NSW Branch)	D	
MIRAN Michelle	Australian Labor Party (NSW Branch)	D	
BROWNE Marion	Australian Labor Party (NSW Branch)	D	
CHOWDHURY Rizwan	Australian Labor Party (NSW Branch)	D	
SHAMS Shoab	Australian Labor Party (NSW Branch)	D	
SEKFY Paul	Australian Labor Party (NSW Branch)	D	
WARD Pamela	Australian Labor Party (NSW Branch)	D	

Candidate name	Affiliation	Group label	Elected
CHALMERS Stef	Australian Labor Party (NSW Branch)	D	
DAVIS Greg	Australian Labor Party (NSW Branch)	D	
McGREGOR Tori	Australian Labor Party (NSW Branch)	D	
FAIREY Lynne	Australian Labor Party (NSW Branch)	D	
FORDHAM Lorraine	Australian Labor Party (NSW Branch)	D	
MAKSIMOVIC Milan		E	
LIONS Deborah		E	
VILLATORA Mianda		E	
O'BRIEN Steve	Socialist Alliance	F	
SANCHEZ Paula	Socialist Alliance	F	
CHUTER Andrew	Socialist Alliance	F	
ASHBY Samantha	Socialist Alliance	F	
McALEAR Joel	Socialist Alliance	F	
LEEDHAM Steffi	Socialist Alliance	F	
McILROY Jim	Socialist Alliance	F	
WYNTER Coral	Socialist Alliance	F	
NELLIST Isaac	Socialist Alliance	F	
HINMAN Pip	Socialist Alliance	F	
BOYLE Peter	Socialist Alliance	F	
FUENTES Federico	Socialist Alliance	F	
RADFORD Ben	Socialist Alliance	F	
RODEN Duncan	Socialist Alliance	F	
WYNER James	Socialist Alliance	F	
NILE Silvana		G	
NILE Fred		G	
FARRELLY Elizabeth	Elizabeth Farrelly Independents	H	
RUSSELL Teresa	Elizabeth Farrelly Independents	H	
BADAMI Sunil	Elizabeth Farrelly Independents	H	
MURRAY Philippa	Elizabeth Farrelly Independents	H	
CHAN Hugo	Elizabeth Farrelly Independents	H	

Candidate name	Affiliation	Group label	Elected
CRAWFORD Jennifer	Elizabeth Farrelly Independents	H	
McGOWAN Anne	Elizabeth Farrelly Independents	H	
PIDCOCK Caroline	Elizabeth Farrelly Independents	H	
WALTON Julie	Elizabeth Farrelly Independents	H	
STANHAM Jane	Elizabeth Farrelly Independents	H	
RICKETSON Rose	Elizabeth Farrelly Independents	H	
POTTS Andrew	Elizabeth Farrelly Independents	H	
McKENZIE Deni	Elizabeth Farrelly Independents	H	
SHEEHAN Maire	Elizabeth Farrelly Independents	H	
SHARPE Freddy	Elizabeth Farrelly Independents	H	
FORD Edilia	Elizabeth Farrelly Independents	H	
MACLAREN-JONES Natasha	The Liberal Party of Australia, New South Wales Division	I	Yes
TAYLOR Bronnie	National Party of Australia – NSW	I	Yes
RATH Chris	The Liberal Party of Australia, New South Wales Division	I	Yes
CARTER Susan	The Liberal Party of Australia, New South Wales Division	I	Yes
FRANKLIN Ben	National Party of Australia – NSW	I	Yes
MUNRO Jacqui	The Liberal Party of Australia, New South Wales Division	I	Yes
MERTON Rachel	The Liberal Party of Australia, New South Wales Division	I	Yes
BARRETT Scott	National Party of Australia – NSW	I	
DHALIWAL Jag	The Liberal Party of Australia, New South Wales Division	I	
WHITE Sophie	The Liberal Party of Australia, New South Wales Division	I	
NILAND Ben	National Party of Australia – NSW	I	
LI-CANTWELL Ying	The Liberal Party of Australia, New South Wales Division	I	
McGAHEY Vicky	The Liberal Party of Australia, New South Wales Division	I	
CESTAR Mirjana	The Liberal Party of Australia, New South Wales Division	I	

Candidate name	Affiliation	Group label	Elected
COXHEAD Steve	National Party of Australia – NSW	I	
RUDDICK John	Liberal Democratic Party	J	Yes
FONTANA Millie	Liberal Democratic Party	J	
DUMER Natalie	Liberal Democratic Party	J	
MEAD Clinton	Liberal Democratic Party	J	
SINOSIC Elvis	Liberal Democratic Party	J	
LARTER John	Liberal Democratic Party	J	
WHEELER Michael	Liberal Democratic Party	J	
WHELAN Peter	Liberal Democratic Party	J	
BEAZLEY Phillip	Liberal Democratic Party	J	
GRAHAM Michael	Liberal Democratic Party	J	
CRIBB Robert	Liberal Democratic Party	J	
SHAMSABAD Cameron	Liberal Democratic Party	J	
RUNGE Peter	Liberal Democratic Party	J	
RIOS Charles	Liberal Democratic Party	J	
GUNNING Samuel	Liberal Democratic Party	J	
DE LIMA Joaquim	Liberal Democratic Party	J	
MANNING Matthew	Liberal Democratic Party	J	
GRENFELL Oscar		K	
HEAD Mike		K	
KHAY Khalil	Public Education Party	L	
McBRIDE Cheryl	Public Education Party	L	
FLINT Anne	Public Education Party	L	
FURNESS Peter	Public Education Party	L	
MCNALLY Edith	Public Education Party	L	
REYNOLDS Barbara	Public Education Party	L	
HACKETT Penelope	Public Education Party	L	
POOLE Warren	Public Education Party	L	
ROBERTSON Neil	Public Education Party	L	
ROBERTSON Sue	Public Education Party	L	

Candidate name	Affiliation	Group label	Elected
ACKROYD Gemma	Public Education Party	L	
ACKROYD Hugh	Public Education Party	L	
STEEP Sandi	Public Education Party	L	
FOX Harry	Public Education Party	L	
FOX Lynne	Public Education Party	L	
KNOX Kerryanne	Public Education Party	L	
WALSH Vicki	Public Education Party	L	
O'NEILL Michael	Informed Medical Options Party (IMOP)	M	
BURNUM BURNUM Marelle	Informed Medical Options Party (IMOP)	M	
KINNEY Lesley	Informed Medical Options Party (IMOP)	M	
MUND Kevin	Informed Medical Options Party (IMOP)	M	
DAVIES Alison	Informed Medical Options Party (IMOP)	M	
CURNOW Robyn	Informed Medical Options Party (IMOP)	M	
BENNETTS Megan	Informed Medical Options Party (IMOP)	M	
MIDDLETON Christeena	Informed Medical Options Party (IMOP)	M	
BURKE Karen	Informed Medical Options Party (IMOP)	M	
O'NEILL Gerard	Informed Medical Options Party (IMOP)	M	
OTTO Wan	Informed Medical Options Party (IMOP)	M	
FOX Benjamin	Informed Medical Options Party (IMOP)	M	
GRECH Craig	Informed Medical Options Party (IMOP)	M	
SHEPHERD Monica	Informed Medical Options Party (IMOP)	M	
TAYLOR Graham	Informed Medical Options Party (IMOP)	M	
TITTELBACH Karen	Informed Medical Options Party (IMOP)	M	
DAVIES Ian	Informed Medical Options Party (IMOP)	M	
FENWICK John	Informed Medical Options Party (IMOP)	M	
BORSAK Robert	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	Yes
DJURIC Shane	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
NOUJAIM Alain	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	

Candidate name	Affiliation	Group label	Elected
BODDAN Kyle	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
RICHARDS Steven	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
THOMPSON William	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
POWELL Alexander	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
NOUJAIM Therese	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
BOYLE Brian	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
HOWDEN John	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
LESAGE Kelly	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
GRASSO Raffaele	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
NOUJAIM Angelique	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
EL SALIM Moses	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
VAN BYSTERVELD Mark	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
CAPPETTA Grant	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
ROSSI Joe	Shooters, Fishers and Farmers Party (NSW) Incorporated	N	
BUCKINGHAM Jeremy	Legalise Cannabis NSW Party	O	Yes
MATHISON James	Legalise Cannabis NSW Party	O	
HESTER Gail	Legalise Cannabis NSW Party	O	
BALDERSTONE Michael	Legalise Cannabis NSW Party	O	
BURGE Karen	Legalise Cannabis NSW Party	O	
HOOD Frances	Legalise Cannabis NSW Party	O	
SMITH Ross	Legalise Cannabis NSW Party	O	
ELLIS Lincoln	Legalise Cannabis NSW Party	O	
LINDNER Nicole	Legalise Cannabis NSW Party	O	

Candidate name	Affiliation	Group label	Elected
DAKHILI Elyas	Legalise Cannabis NSW Party	O	
WILLIAMSON Kathleen	Legalise Cannabis NSW Party	O	
EDEN Ian	Legalise Cannabis NSW Party	O	
GRAVES Louise	Legalise Cannabis NSW Party	O	
FUGGLE Donald	Legalise Cannabis NSW Party	O	
GREEN Max	Legalise Cannabis NSW Party	O	
HARPER Michael	Legalise Cannabis NSW Party	O	
BEST Crystal	Legalise Cannabis NSW Party	O	
REYNOLDS Reece	Legalise Cannabis NSW Party	O	
LIM Danny		P	
LIM Lee		P	
LATHAM Mark	Pauline Hanson's One Nation	Q	Yes
MIHAILUK Tania	Pauline Hanson's One Nation	Q	
BATISH Amit	Pauline Hanson's One Nation	Q	
GRIGG Colin	Pauline Hanson's One Nation	Q	
SMITH Roger	Pauline Hanson's One Nation	Q	
TRIPP Steven	Pauline Hanson's One Nation	Q	
FENTON Charlie	Pauline Hanson's One Nation	Q	
ORCHARD Richard	Pauline Hanson's One Nation	Q	
SAKER Adrian	Pauline Hanson's One Nation	Q	
SAKER Vicki	Pauline Hanson's One Nation	Q	
LANYON Alan	Pauline Hanson's One Nation	Q	
ROBERTS Quentin	Pauline Hanson's One Nation	Q	
TURNER Nicholas	Pauline Hanson's One Nation	Q	
DONOVAN Samuel	Pauline Hanson's One Nation	Q	
WHITTAKER Anastasia	Pauline Hanson's One Nation	Q	
RUGLESS Kellie	Pauline Hanson's One Nation	Q	
FAEHRMANN Cate	The Greens NSW	R	Yes
COHN Amanda	The Greens NSW	R	Yes
COE Lynda-June	The Greens NSW	R	

Candidate name	Affiliation	Group label	Elected
CASEY Jim	The Greens NSW	R	
FRAIL Trish	The Greens NSW	R	
THOMPSON Elizabeth	The Greens NSW	R	
SCOTT Jane	The Greens NSW	R	
MILLER Kashmir	The Greens NSW	R	
LLOYD Eddie	The Greens NSW	R	
ATKINS Liz	The Greens NSW	R	
COX Mithra	The Greens NSW	R	
DAVIS Jan	The Greens NSW	R	
O'NEILL Astrid	The Greens NSW	R	
SHAHAMAT Vida	The Greens NSW	R	
HICKEY Tony	The Greens NSW	R	
TASTAN Ismet	The Greens NSW	R	
WESTON Russell	The Greens NSW	R	
ELLSMORE Sylvie	The Greens NSW	R	
BOURKE William	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
OH Hana	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
MORELLI Bradd	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
SMYTHE Deborah	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
KUIPERS Herman	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
YUE Xiaowei	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
LANDWEHR Torsten	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
ALDEN John	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
HILLEARD Lisa	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
REID Peter	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	

Candidate name	Affiliation	Group label	Elected
GREEN Jill	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
BURKE Ann	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
COTTEE Mike	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
TAYLOR David	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
KITCHENER Susan	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
WILDER Michael	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
NOONAN Alison	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
EGGLETON Robert	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
BLACKER Cheryl	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
MAGNUSSON Alan	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
WINTER Dean	Sustainable Australia Party – Stop Overdevelopment / Corruption	S	
CAINE Milton		T	
SKILLIN Robert		T	
BOSI Riccardo		U	
GRAHAM David		U	
GEORGE Jackie		U	
TODISCO Franco		U	
HEATH David		U	
McKINLAY Garry		U	
KLOEPFER Frank		U	
KLOEPFER Reagan		U	
GEORGE Robyn		U	
GEORGE Logan		U	
BOWDEN Scott		U	

Candidate name	Affiliation	Group label	Elected
WALKER Kevin		U	
GEORGE Luke		U	
KIRKELS Brad		U	
KAFER Barbara		U	
ANDERSON Noel		U	
POLIN Matt		U	
FSADNI Josephine		U	
PRASAD Stefan			
FULLER Colleen			
GRZIC Warren			
HUYNH Van			
LEA Archie			
MARTIN Michelle			
HOWE Lee			
ALLEN Mick			
CHEETHAM R			
LU Guitang			
POTKONYAK George			

Appendix H: Reference group members, current as at 25 March 2023

Equal Access to Democracy Disability Reference Group

- Vision Australia
- National Ethnic Disability Alliance
- Blind Citizens Australia
- NSW Council for Intellectual Disability
- NSW Council of Social Services
- Local Government NSW
- Guide Dogs NSW
- Physical Disability Council of NSW
- WayAhead – Mental Health Association of NSW
- Physical Disability Australia
- Mental Health Coordinating Council
- Synapse NSW
- Multicultural Disability Advocacy Association
- Deafness Forum of Australia
- Carers NSW
- Hearing Matters Australia
- People with Disability Australia
- First Peoples Disability Network

Culturally and Linguistically Diverse Reference Group:

- Ethnic Communities Council of NSW
- NSW Department of Communities and Justice
- National Ethnic Disability Alliance
- Sydney Multicultural Community Services
- Advance Diversity Services
- Local Government NSW
- Auburn Diversity Services
- Arab Council Australia
- CORE Community Services
- Local Community Services Association
- Multicultural Disability Advocacy Association
- Multicultural NSW
- Settlement Council of Australia

Glossary

Term	Definition
Above the line	When there are groups and group voting squares on the Legislative Council ballot paper, there will be a thick black line dividing the ballot paper. Group voting squares appear above the line (ATL).
Absent vote	A vote made by an elector who is outside their enrolled electoral district.
Associated entity	A corporation or other entity that operates solely for the benefit of a party that is registered for State elections or a member of the NSW Parliament.
Authorised roll	A roll of electors eligible to vote at the election.
Ballot paper draw	The process of determining which order the candidates (and groups if applicable) will appear on the ballot paper. The draw is conducted by the election manager for each Legislative Assembly Electoral District and the Electoral Commissioner for the Legislative Council.
Below the line	When there are groups and group voting squares on the Legislative Council ballot paper, there will be a thick black line dividing the ballot paper. Candidates appear below the line (BTL).
Candidate	<p>A person who is nominated in accordance with the <i>Electoral Act 2017</i> for election to the Legislative Assembly or Legislative Council. Only duly nominated candidates have their names included on a ballot paper.</p> <p>Under the <i>Electoral Funding Act 2018</i>, a candidate includes a person registered as a candidate under the <i>Electoral Funding Act 2018</i> for the purpose of accepting political donations and electoral expenditure.</p> <p>A candidate under the <i>Electoral Funding Act 2018</i> also includes an unregistered candidate who has accepted a political donation or made a payment for electoral expenditure for the election.</p>
Capped expenditure period	The period in which the electoral expenditure of parties, groups, candidates and third-party campaigners is capped.
Centralised Declaration Vote Count Centre (CDVCC)	The venue where all declaration vote envelopes cast at early voting centres, declared facilities and voting centres are sent for scrutiny, initial count and data entry.
Centralised Postal Vote Count Centre (CPVCC)	The venue which is responsible for processing all postal vote applications and posting ballot papers to electors. Completed postal votes are returned to the CPVCC for scrutiny and initial count.
Close of roll	The date when the rolls for an election are closed to allow for printing of authorised rolls. This is the day of the issue of the writs for an election.
Declaration vote	A vote cast by an elector when the ballot papers are enclosed in an envelope containing a printed declaration signed by the elector. This category of votes is comprised of absent votes, enrolment votes (including name not on roll), and name already marked as voted (NAMAV).
Declared facility	A hospital, nursing home, retirement village or similar facility that is declared by the Electoral Commissioner as a 'declared facility' which is to be provided with a mobile voting centre. A declared facility is taken to be an early voting centre while voting occurs at the facility.

Term	Definition
Distribution of preferences (Legislative Assembly)	The process of determining the successful candidate in a district, by distributing ballot papers of an excluded candidate according to the preferences on each ballot paper.
Distribution of preferences (Legislative Council)	The process of determining the successful candidates in an election, by distributing ballot papers of elected or excluded candidates according to the preferences on each ballot paper.
Early voting	Electors who will not be able to vote on election day, for certain specified reasons, can vote before election day at an early voting centre.
Early voting centre	A voting centre that has been designated by the Electoral Commissioner for early voting.
Election Campaigns Fund	The fund administered by the NSW Electoral Commission to reimburse eligible parties and candidates for electoral expenditure incurred in connection with the election.
Election day	The 2023 NSW State election was held on Saturday, 25 March 2023.
Election manager	Appointed as an election manager under section 81(3) of the <i>Electoral Act 2017</i> to conduct an election for one or more Legislative Assembly districts. Duties include staffing the election manager's office, conducting the ballot paper draw and liaising with political parties, candidates and the public.
Election official	Appointed by the Electoral Commissioner under section 81(1) of the <i>Electoral Act 2017</i> to officiate at a place where electors vote and where counting takes place. Election officials include election managers, voting centre managers and may include other voting centre staff and assistants.
Elector	A person entitled to vote at an election.
Electoral Commissioner	The Commissioner is responsible for the conduct of elections under the <i>Electoral Act 2017</i> including the enrolment of electors, the maintenance of the Electoral Information Register and the preparation of the authorised rolls for use in elections. The Commissioner is also an <i>ex officio</i> member of the NSW Electoral Commission.
Electoral district	For the Legislative Assembly, one of 93 areas containing approximately equal numbers of electors. For the Legislative Council, the district is the whole State of New South Wales.
Electoral expenditure	Expenditure for or in connection with promoting or opposing, directly or indirectly, a party or the election of a candidate or candidates or for the purpose of influencing, directly or indirectly, the voting at an election.
Electoral material	Including 'how-to-vote' cards, advertisements or anything else containing electoral matter, whether printed or electronic form.
Electoral matter	Anything that is intended, calculated or likely to affect an election or elector including the name or a party or candidate, or the picture of a candidate or drawing of the candidate's likeness.
Enrolment/name not on roll declaration vote	An eligible person whose name does not appear on the roll for a district but claims to be entitled to appear on that roll is permitted to vote if they makes a written declaration
Group	Two or more candidates that have been duly nominated for the Legislative Council election under the <i>Electoral Act 2017</i> can claim to have their

Term	Definition
	names included in a group on the ballot paper. A group may also be registered under the <i>Electoral Funding Act 2018</i> in the Register of Candidates for a general election.
How-to-vote card	A card, handbill, pamphlet or notice containing directions on how to vote for a particular candidate, party or group.
Independent	A candidate or Member of Parliament who is not affiliated with a political party.
Legislative Assembly	The lower house of Parliament in NSW. It has 93 members each representing an electoral district. All 93 members are elected at a NSW State general election, every four years.
Legislative Council	The upper house of the Parliament of New South Wales consisting of 42 members elected for an eight-year term, half of whom (ie, 21) are elected at each NSW State general election every four years.
Legislative Council Count Centre (LCCC)	Venue where the official count of Legislative Council ballot papers will be conducted.
Multi-district voting centre	A voting centre located on or near the boundary between two or more electoral districts where ordinary votes are issued for those districts.
Nomination	The process by which a person lodges a nomination paper to become a candidate for election. See also: registration.
NSW Electoral Commission	<p>The independent statutory authority constituted under the <i>Electoral Act 2017</i> consisting of three members, including the Electoral Commissioner, which regulates and enforces electoral laws, including the political donation and electoral expenditure disclosure and public funding schemes under the <i>Electoral Funding Act 2018</i>.</p> <p>NSW Electoral Commission also refers to the staff agency, headed by the Electoral Commissioner, that assists the Electoral Commission and Electoral Commissioner to exercise their functions.</p>
Official agent	A person who is responsible for the management and disclosure of the political donations and electoral expenditure of a third-party campaigner or associated entity.
Optional preferential	The method of voting and counting the votes for a Legislative Assembly election.
Ordinary vote	An in-person vote cast (ie not a declaration vote) in an early voting centre or voting centre on election day.
Party	A body or organisation, incorporated or unincorporated, having one of its objects or activities the promotion of the election to the NSW Parliament or a local Council of a candidate or candidates endorsed by it. A party includes a registered political party and an unregistered political party.
Party agent	A person who is responsible for the disclosure of political donations and electoral expenditure of a party. In some cases, a party agent may also be responsible for the management and disclosure of elected members, groups and candidates who are members of the party. A party includes a registered political party and an unregistered political party.

Term	Definition
Political donation	A gift made to or for the benefit of a party, elected member, group, candidate or other person or entity (including a third- party campaigner or associated entity).
Postal vote	Eligible electors who meet specified criteria, for example being unable to attend a voting centre during voting hours on election day, may apply to vote by post.
Preferences	The numbers written by an elector in the squares next to a candidate's name on a ballot paper, or in a group voting square on the Legislative Council ballot paper.
Recount	A recount of ballot papers in an election at the request of a candidate or as directed by the Electoral Commissioner.
Registered early voter (postal)	An eligible elector who has registered to receive ballot papers by post for local, State and Commonwealth elections.
Registered electoral material	Electoral material, including how-to-vote cards, registered by the Electoral Commissioner for distribution on election day.
Registered political party (RPP)	A political party registered under the <i>Electoral Act 2017</i> .
Registration	In relation to a candidate, group of candidates or third-party campaigner for the election, means being registered under the <i>Electoral Funding Act 2018</i> for the purposes of accepting political donations and making payments for electoral expenditure. See also: nomination.
Regulated election period	The period from the issue of the writs up to 6pm on election day during which time electoral material must meet the requirements of the <i>Electoral Act 2017</i> .
Returning officer	The Electoral Commissioner is the returning officer for all 93 Legislative Assembly districts and the Legislative Council.
Scrutiny	The check of declaration envelopes to ensure compliance before the ballot papers contained within the envelope is admitted to the count. Also the process of checking ballot papers for formality.
Scrutineer	A person appointed in writing by a candidate or registered political party to observe the voting and counting processes.
Third-party campaigner	A third-party campaigner is a person or entity (other than an associated entity, party, elected member, group or candidate) who incurs more than \$2,000 in electoral expenditure for a State election during the capped expenditure period for the election.
Two candidates preferred count (TCP)	Provides an indication of the likely election outcome in a Legislative Assembly district by notionally distributing preferences from the lowest polling candidates to the two selected 'preferred' candidates. A two candidates preferred count is not the official distribution of preferences.
Voting centre	A place appointed by the Electoral Commissioner for the purpose of taking votes at an election (includes an early voting centre).
Writ	The document by which the Governor of New South Wales directs the Electoral Commissioner to conduct an election.

Part two

Details of the activities conducted by the NSW Electoral Commission under the *Electoral Funding Act 2018* (as adopted by the NSW Electoral Commissioner).

Part two summarises the integrity and compliance activities of the NSW Electoral Commission in relation to the conduct of participants in the elections. This work includes the registration of candidates, groups, and third-party campaigners for campaign finance regulation purposes; auditing claims for payments from the Election Campaigns Fund; compliance operations undertaken during the elections and; investigating allegations of breaches of electoral laws. Part two also includes recommendations by the Electoral Commission for legislative reform arising from the 2023 NSW State election.

Special Report on the public funding
and regulation of the

2023 NSW State election



About this report

This report is made to the Parliament of New South Wales under section 154(3) of the *Electoral Funding Act 2018*. The report provides an overview of the activities relating to electoral funding and the regulation of the 2023 NSW State election. While the election was conducted by the Electoral Commissioner for NSW under the provisions of the *Electoral Act 2017*, the NSW Electoral Commission (Electoral Commission) is a three-member statutory authority responsible for the administration and enforcement of the *Electoral Funding Act 2018* and the enforcement of the *Electoral Act 2017*.

The report includes information about the work and activities of the Electoral Commission in connection with the following matters in relation to the March 2023 State election: the registration of candidates, groups and third-party campaigners; the appointment of agents for campaign finance regulation purposes; disclosure of political donations in the pre-election period; public funding of election campaigns of political parties and candidates; compliance operations undertaken during the election period; support for regulated election participants including enhancements to the Funding and Disclosure Online system and online training for party agents; public interest publication of information about disclosed pre-election period political donations; activities connected with the delivery of the Electoral Commission's Regulatory Priorities for 2022-23 where they related to the election; and recommendations for legislative amendment.

Actions taken by both the Electoral Commission and the Electoral Commissioner in response to recommendations made by the Joint Standing Committee on Electoral Matters (JSCEM) in its *Report of the Joint Standing Committee on Electoral matters – Administration of the 2019 NSW election and related matters*, are summarised in the Electoral Commissioner's report (Part one) on the outcome of his review of the administration of the 2023 State election, conducted under section 271 of the *Electoral Act 2017*.

The NSW Electoral Commission acknowledges the Traditional Owners of Country throughout New South Wales and their continuing connection to the land, sea and community. Our head office is located on Gadigal land. We pay our respects to Elders past and present.

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Foreword from the Chair of the NSW Electoral Commission

The NSW State election on Saturday, 25 March 2023 elected the 58th Parliament of New South Wales. The election was conducted by the Electoral Commissioner for New South Wales (Electoral Commissioner) under the provisions of the *Electoral Act 2017*. The three-member NSW Electoral Commission (Electoral Commission) has separate statutory functions, being responsible for administering public funding and the administration and enforcement of the *Electoral Funding Act 2018* and the enforcement of the *Electoral Act 2017*. The Electoral Commissioner is an *ex officio* member, and the Electoral Commission also has a function of supporting the conduct of elections by the Electoral Commissioner, including through education, public awareness and research activities.

Ad hoc reports by the Electoral Commission to Parliament, in addition to its mandatory annual reporting obligations, are provided for in section 154(3) of the *Electoral Funding Act 2018*. Following previous general elections, information about the work and activities of the Electoral Commission in connection with the election was incorporated into the Electoral Commissioner's report on the election under section 271 of the *Electoral Act 2017*. For the 2023 NSW State election, the Electoral Commission has determined to report separately to the Parliament of New South Wales (Parliament) about its related work and activities in acknowledgement of its separate status. This information has been adopted by the Electoral Commissioner and included as Part two in the *Report on the administration of the 2023 NSW State election*.

For the 2023 NSW State election, the Electoral Commission regulated electoral funding, expenditure and disclosures, including the registration of participants for this purpose under the *Electoral Funding Act 2018*. The Electoral Commission also promoted public awareness of electoral funding matters including new rules for the election concerning political donations and electoral expenditure caps for third-party campaigners, and undertook compliance and education activities for political parties, elected members, candidates, groups, agents, associated entities, third-party campaigners and donors. Those activities cover the regulation of conduct by election participants and voters in connection with campaigning, voting and counting.

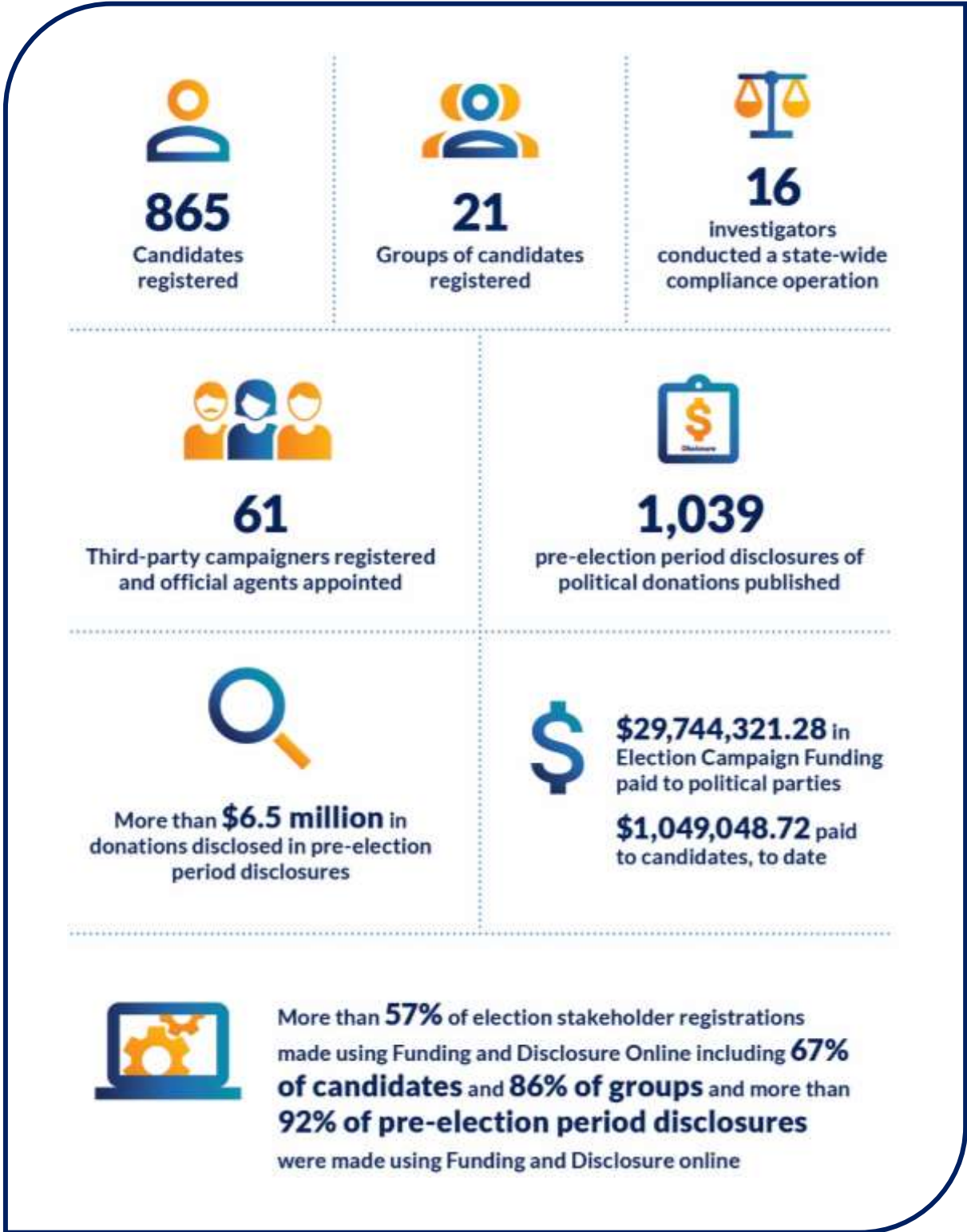
The Electoral Commission is pleased to provide this *Special Report on the public funding and the regulation of participants at the 2023 NSW State election* to the Speaker of the Legislative Assembly and President of the Legislative Council, for tabling in the Parliament.

I thank the staff of the NSW Electoral Commission agency for their work in maintaining trust in the integrity of elections in New South Wales through sound regulation. I particularly thank the Electoral Commissioner for New South Wales for his advice and for his leadership of the NSW Electoral Commission staff agency.



Arthur Emmett AO KC
Chair, NSW Electoral Commission

Regulation and public funding of the 2023 NSW State election at a glance



Implementing legislative amendments

The NSW Parliament made changes to the legislative framework under which the Electoral Commission operates in November 2022 before the 2023 NSW State election. The changes largely reflected recommendations of the Parliament of New South Wales Joint Standing Committee on Electoral Matters (JSCEM) Inquiry into the Administration of the 2019 NSW State election. In the lead-up to the 2023 NSW State election, the Electoral Commission implemented these changes including amending its forms, electronic systems and processes, and conducted an education campaign to raise awareness of new rules. This included direct communications with electoral participants, website messaging, a social media campaign and information conveyed through election communications channels including bulletins and webinars as well as training agency staff to support political participants and administer the law correctly.

Electoral Funding Act 2018

In November 2022, the *Electoral Legislation Amendment Act 2022* amended the *Electoral Funding Act 2018* so that:

- expenditure incurred in auditing campaign accounts is no longer electoral expenditure
- expenditure incurred on travel and travel accommodation for candidates and staff engaged in electoral campaigning is no longer subject to expenditure caps (however, expenditure on a motor vehicle, vessel or aircraft displaying advertising or electoral material for a candidate or party is electoral expenditure that is subject to the caps)
- expenditure incurred for office accommodation for a single campaign office for a candidate or a party engaged in an election campaign, including for the campaign headquarters of a party, up to a maximum amount of \$20,000 (adjusted for inflation each year) for each capped expenditure period, is no longer subject to expenditure caps (however, such expenditure is still electoral expenditure)
- a party agent of a registered party can now give notice of the dis-endorsement of a candidate so that the candidate becomes responsible for their own disclosures
- the time by which a half-yearly disclosure of political donations is to be made was extended from 4 weeks to 6 weeks
- the ability for one member of a group to lodge a declaration of disclosures on behalf of the group was removed
- the electoral expenditure caps for third-party campaigners (TCPs) at State general elections were set to \$1,288,500 and \$644,300 (depending on the TPC's registration date)
- the ban on third-party campaigners acting in concert with others to incur electoral expenditure for an election campaign was removed
- the amount of individual small donations accepted at a fundraising venture or function that is excepted from being counted towards political donation caps and the reportable political donation threshold, increased from \$50 to \$100
- the amount of advance payments that a party can receive from the Election Campaigns Fund before a State general election was increased from 50 per cent to 75 per cent of the party's entitlement for the previous State general election
- a registered officer of a party may lodge a disclosure or public funding claim if the party agent is absent or otherwise unavailable if certain conditions are met.

These amendments came into effect on 2 November 2022.

In December 2022, the *Electoral Legislation Amendment Regulation 2022* amended the *Electoral Funding Act 2018* to:

- apply the updated definition of “electoral expenditure”, including the types of expenditure exempt from the expenditure caps, to the whole capped State expenditure period for the 2023 State general election.

These amendments came into effect on 16 December 2022.

Electoral Act 2017

In November 2022, the *Electoral Legislation Amendment Act 2022* and the *Electoral Legislation Amendment Act (No 2) 2022* amended the *Electoral Act 2017* so that:

- the Electoral Commission or Electoral Commissioner may report on the progress or outcome of an investigation into a possible contravention of the *Electoral Act 2017* or the *Electoral Funding Act 2018* (and their corresponding regulations), provided the disclosure is in the public interest
- authorisation rules were updated for certain electoral material, including unpaid social media posts, SMS messages and automated telephone calls (robocalls). An authorisation can be linked from (rather than included in) social media posts and SMS messages and must be included in a robocall.

These amendments came into effect on 2 and 3 November 2022, respectively.

Electoral Regulation 2018

In December 2022, the *Electoral Legislation Amendment Regulation 2022* amended the *Electoral Regulation 2018* to:

- allow penalty notices to be issued for the offence under s 187A of the *Electoral Act 2017* relating to the authorisation of automated telephone calls and set the amount payable for that penalty notice.

This amendment came into effect on 16 December 2022.

In February 2023, the *Electoral Amendment (Electoral Material and Election Officials) Regulation 2023* amended the *Electoral Regulation 2018* so that:

- for social media posts by electoral participants, if no amount was paid to the social media platform provider, the authorisation including the electoral participant’s name and address may be displayed on the social media account profile for that account, or on a website that is directly linked to in the post. If the authorisation is shown in a video or animation, the name and address must be legibly shown for at least three seconds
- social media posts not made by or on behalf of an electoral participant, by a person who is not an electoral participant or an officer, employee, or agent of an electoral participant, do not require an authorisation, if nothing was paid or given to the person who published the post, or the social media platform provider
- SMS messages containing electoral material must contain the authorisation unless the message contains a hyperlink to a website where the relevant name and address are published, and the website remains active for the duration of the regulated period, or the name and address are included in a separate SMS sent immediately after the message containing the electoral material, and the messages are both sent from the same number.

These amendments came into effect on 22 February 2023.

Innovation for the 2023 NSW State election

The Electoral Commission continually reviews the delivery of its regulatory and administrative activities to provide a positive experience for election participants and other stakeholders, while maintaining electoral integrity. For the 2023 NSW State election, there was a focus on safety and also improving digital transactions and education activities, while meeting the public interest objectives of NSW electoral legislation around transparency.

Safety of election officials and work health and safety during the count period

Safety of Electoral Commission staff and voters was a focus throughout the planning and delivery of voting and counting services, and for the Commission's voting and counting compliance operation, detailed later in this report. Safety principles (see the Electoral Commissioner's report – Part one), demonstrate the maturing of the Electoral Commission's safety culture as safer working conditions were embedded for election officials, while acknowledging the flow-on consequences for the speed of the count. The principles provided that all counting on election night was to cease at 10:30pm, allowing closure of venues by 11pm and return of materials by midnight. In line with the principles, no counting was scheduled for election Sunday, or any Sunday throughout the counting period to ensure that staff did not work more than six consecutive days. Due to the significant increase in early and postal voting, it will continue to be challenging to count a significant number of these votes on election night, consistent with safe work practices. If the speed of the count on election night is to be prioritised without compromising safety, the Electoral Commissioner's report details the need for further resources and some consideration of legislative change.

Safety planning was part of the Electoral Commission's state-wide voting and counting compliance operation to identify safety risks involved with field operations and ensure that appropriate measures were in place to reduce the risks to an acceptable level. During the state-wide compliance operation, inspectors were on duty during voting hours but not after 6pm when voting centres closed. If inspectors were to attend counting venues after voting ends on election day, the Electoral Commission would have to hire and train additional resources for that purpose.

Regulatory priorities statement 2022-23

The Electoral Commission published its first annual Regulatory Priorities Statement for the period 1 July 2022 to 30 June 2023, which included the 2023 NSW State election. Informed by a risk assessment of legislated regulatory functions and anticipated events, the Regulatory Priorities Statement sets out the Electoral Commission's strategic regulatory focus for the period. The Regulatory Priorities supported the Electoral Commission to optimise the efficiency and value of its regulatory effort and ensure responses to non-compliance were targeted and proportionate. Several of the priorities for 2022-23 were focused on the State election including activities detailed in this report on pre-election period donation disclosure and provision of useful and timely information to regulated participants. See Appendix A.

Online registration, appointment and disclosure

For the first time at a State general election, political participants were able to register, update their registered details, appoint an official agent and lodge disclosures of political donations online using the Electoral Commission's Funding and Disclosure Online portal. The portal was first made available for

online candidate registrations and disclosures for the deferred 2021 Local Government elections and has since been expanded to allow all political participants to register, and party or official agents to be appointed online. Funding and Disclosure Online seeks to meet community expectations around the role of technology in the electoral context, both for service delivery and regulatory functions. Toward the end of 2023, eligible candidates and parties will be able to apply for public funding using Funding and Disclosure Online. At this time, public funding claims that were made in relation to the 2023 NSW State election will be viewable by applicants through the portal.

This innovation relates to **Regulatory Priority 4**: election participants meet their political donation disclosure obligations for the 2023 NSW State election pre-election period.

Online compliance training for party and official agents

The Electoral Commission authorises an online training program for party agents and official agents, as a requirement of the *Electoral Funding Act 2018*. The online training and testing program was updated and enhanced to assist new party and official agents learn about their obligations under the law. The online agent training is integrated with the Funding and Disclosure Online system providing a better user experience for prospective agents required to complete the training and pass the test as part of the appointment process. The Electoral Commission also encouraged appointed agents to complete the training to develop and refresh their knowledge of electoral funding laws ahead of the election. For future elections, the Electoral Commission will encourage refresher training by all agents to help election participants keep up to date about their obligations.

This innovation relates to **Regulatory Priority 4**: election participants meet their political donation disclosure obligations for the 2023 NSW State election pre-election period.

Information about pre-election disclosures published by donor location

All disclosures of political donations and electoral expenditure are published on the Electoral Commission's website including the pre-election donation disclosures which were published soon after they were received in the lead-up to the 2023 NSW State election. To complement the publication of disclosures, for the first time the Electoral Commission published a map providing a data visualisation of the value of political donations based on the location of donors. Donations were included on the map of New South Wales according to the electoral district in which the individual donor was enrolled, or in which the entity/business donors' offices were located. The data visualisation tool provided a way to view the location, and density, of donations across the State during the pre-election period of 1 October 2022 to election day on 25 March 2023. It was published on 22 May 2023 along with a Statement from the Chair of the Electoral Commission providing information about the pre-election period disclosures.

This innovation relates to **Regulatory Priority 4**: election participants meet their political donation disclosure obligations for the 2023 NSW State election pre-election period and **Regulatory Priority 8**: regulated participants in NSW elections having access to useful and timely information about their key obligations.

Expanded helpdesk provided support and guidance for election participants

An expanded helpdesk supported candidates, groups, parties, agents, associated entities and third-party campaigners understand their obligations both for the conduct of the election and the regulation of electoral funding. The helpdesk team was trained to answer questions about all aspects of the candidate election journey from registration to being newly elected. During the period 6 January to 28 April 2023, 7,391 incoming calls were received by the helpdesk. More than 3,100 emails were responded to during the same period. Information about these activities is included in the Electoral Commissioner's report (Part one). Additionally, during the capped expenditure period for the election (1 October 2022 to 25 March 2023) funding and disclosure client services officers answered 680 emails to the Funding and Disclosure address with questions specific to *the Electoral Funding Act 2018*.

This innovation relates to **Regulatory Priority 8**: regulated participants in NSW elections having access to useful and timely information about their key obligations.

New guidelines and guidance issued by the Electoral Commission

The Electoral Commission may determine and issue guidelines, not inconsistent with the legislation, for or with respect to any matters dealt with in the *Electoral Funding Act 2018*. Guidelines are published on the Electoral Commission's website and the Electoral Commission is to have regard to its own guidelines in the operation and application of electoral funding laws. The Electoral Commission issued three new guidelines in the lead-up to the 2023 NSW Electoral Commission.

Guideline 20 was issued to assist possible third-party campaigners define the dominant purpose to assess if their expenditure is electoral expenditure and subject to the *Electoral Funding Act 2018* rules, including the third-party campaigner expenditure caps.

Guideline 21 was issued to assist political parties comply with their donation obligations in the lead-up to the State election in March. It relates to the treatment of payments to NSW branches of parties by other state, territory or federal branches (which are deemed to be political donations).

Guideline 22 was issued to assist political participants by providing guidance on the requirements of an extension request and the factors relevant to the decision of the Electoral Commission whether to grant an extension of time, such as for lodging disclosures.

Distinguishing between an unregistered party and a third-party campaigner

The Electoral Commission developed resources to assist organisations not registered as parties seeking to participate in the election determine whether they were an unregistered political party required to appoint a party agent or whether they must register as a third-party campaigner. The Electoral Commission developed a fact sheet about what a political party is under NSW electoral funding laws and what distinguishes a political party from other organisations such as third-party campaigners. The fact sheet covered the different rules for parties and third-party campaigners and was published on the website and communicated to political participants inquiring about their obligations. It included the following advice.

A body or organisation will be a party for the purposes of the *Electoral Funding Act 2018* if it meets the following conditions:

- its objects or activities include endorsing one or more candidates to stand as a representative of that body or organisation
- it has identifiable members
- there is one or more persons fulfilling a role that could be characterised as an “officeholder”.

New Guidelines and guidance support **Regulatory Priority 8**: regulated participants in NSW elections having access to useful and timely information about their key obligations.

Political donations education campaign

Campaign approach

The NSW Electoral Commission has run several political donations public awareness campaigns to educate people in New South Wales about political donations laws and specific changes that make cash donations over \$100 to political participants unlawful. Another campaign was run during the 2023 NSW State election period across digital and social media.

Messaging

The campaign let donors and potential donors know that important rules apply when making a political donation. It focussed on the following key pieces of information and encouraged people to find out more on the NSW Electoral Commission website:

- political donations paid in cash must not exceed \$100
- buying tickets or other items for a fundraiser could be a political donation
- giving free or discounted goods and services could be a political donation
- there are limits to the amount any political participant can accept from a donor in a financial year.

Campaign results

Table 1: Results of the political donations public awareness campaign

Channel	Result
Digital advertising	Digital advertising delivered more than 15,150,546 impressions.
Social media	Paid social media advertising delivered cost-efficient results, to targeted audiences with 5,751,925 impressions delivered overall across Meta, WeChat and Weibo.

This education campaign relates to **Regulatory Priority 4**: election participants meet their political donation disclosure obligations for the 2023 NSW State election pre-election period and **Regulatory Priority 8**: regulated participants in NSW elections having access to useful and timely information about their key obligations.

Website Integrity hub

All key election integrity resources were brought together into an Integrity hub on the website, to strengthen the Electoral Commission's commitment to maintaining public trust in election delivery and election regulation. This new hub brings together information about a range of activities that are statutory functions of the Electoral Commission (some shared with the Electoral Commissioner) and that were important for the 2023 State election:

- the Disinformation Register
- Education and guidance
- Regulation of electoral material and election conduct
- Compliance audits
- Investigations
- Enforcement of electoral laws
- The Commission's Annual Regulatory Priorities
- Transparency (for example, publication of registers).

This innovation relates to **Regulatory Priority 1**: Electoral material and other election-related material does not mislead electors about the electoral process, and **Regulatory Priority 2**: Voting in person at NSW elections is free of interference.

Proposals for legislative change

As the independent regulator of elections and the administrator of the NSW public funding scheme, the Electoral Commission does not engage in public commentary about the electoral policy settings of the NSW legislation it enforces and administers. This includes not expressing a view on how much public funding should be claimable by election participants, who should be allowed to make political donations or be prohibited from doing so, the level of caps that should apply to expenditure on election campaigns and political donations, or whether specific items of expenditure by election participants should be categorised as electoral or administrative expenditure.

From time to time, however, the Electoral Commission identifies gaps in NSW electoral legislation that it considers may undermine its capacity to administer the electoral funding scheme according to the NSW Parliament's legislative policy objectives or may impede its capacity to enforce contraventions of electoral legislation consistent with public expectations.

Proposals for amendments to address identified gaps are made directly to the relevant Ministers with allocated responsibility for administering NSW electoral legislation, in accordance with longstanding practice, from time to time. Sometimes proposals have also been included in annual reports of the Electoral Commission. Arising specifically from the 2023 NSW State election, however, the Electoral Commission recommends that the NSW Parliament consider making specific changes to address the issues below.

Other potential amendments have been identified by the Electoral Commission that are considered minor and non-controversial but useful to ensure the electoral funding scheme continues to operate as intended. As these describe potential "loopholes", however, these are not listed in this report, to support the ongoing integrity of the electoral funding framework. The Electoral Commission would welcome, however, the opportunity to explore whether such amendments could be included in statute law bills, or similar, in the future.

Election official safety

To facilitate a safe working environment for election officials, and support election integrity, consideration should be given to expanding the offence of hindering or obstructing an election official to prohibit a person from filming or photographing an election official in the course of their duties, and other measures. Further information about this safety and related proposals to support the ongoing public trust in elections is provided in the Electoral Commissioner's report – see Part one, Proposals for legislative change (Proposal 10 and Proposal 11). In relation to the flow-on impact of safety measures impacting the speed of the count on election night, a proposal is detailed in the Electoral Commissioner's report – see Part one (Proposal 6).

Election material distributed prior to election day

The Electoral Commission recommends that consideration be given to amending the Electoral Act to require material distributed during the early voting period to be registered by the Electoral Commissioner, as per the requirements for material distributed on election day. The trend of increasing numbers of electors casting early votes via postal or at early voting centres continued at the election, with 1,576,947 electors casting early votes at the 2023 NSW State election. Introducing a registration requirement for the early voting period would support greater compliance with the legislative requirements for electoral material, reducing the likelihood of a breach occurring and the potential for electors to be confused, misled or offended by unlawful material.

Advance payments of public funding

The Electoral Commission administers the statutory Election Campaigns Fund. A party or candidate is not eligible for any payment (other than advance payments) from this fund in respect of an election while any failure to lodge a declaration under Part 3 (Political donations and electoral expenditure) or any annual financial statements under Part 6 (Obligations of registered parties and senior office holders) for a past period continues. It is not clear that it was intended that advance payments should be an exception from this condition, particularly given that recent amendments to the legislation have increased the amount that may be received as an advance payment. An amendment is required if the Electoral Commission is to be authorised to determine that a party or candidate is not eligible to receive an advance payment due to the circumstances of a failure to lodge.

Consequences of dis-endorsement

A small number of candidates were dis-endorsed by a party after their nomination for the 2023 NSW State election, but prior to election day. The Electoral Commission recommends that the consequence of dis-endorsement of a candidate by a party be clarified. In particular, the impact of such dis-endorsement for the purpose of establishing the applicable cap on electoral expenditure for the affected party and candidate, their eligibility to claim from the Election Campaigns Fund and for the purpose of section 9(9) of the Electoral Funding Act (which allows electoral expenditure incurred by the party for the candidate to be invoiced to the candidate). Further clarity is desirable to provide certainty for parties and candidates, and for the Electoral Commission to be able to effectively enforce the applicable caps on electoral expenditure.

Person responsible for the disclosures of an independent group

The Electoral Commission recommends that section 14 of the Electoral Act be amended to provide that the lead candidate of a group of independent candidates is responsible for the disclosures of the candidates in the group. Under the existing arrangements, a candidate is responsible for their own disclosure where a party agent is not the person responsible. This leads to both confusion and non-compliance, as many independent candidates expect that the lead candidate of their group will manage their disclosures. Making the lead candidate responsible for the disclosures of the group and its members is likely to result in a greater level of compliance. This will also mean donations and expenditure of the group and its members will be centralised in one campaign account, making it easier for the lead candidate to manage and disclose relevant transactions.

Compulsory voting

Voting is compulsory for all eligible electors and the Electoral Commission raises awareness of election events through extensive campaigning. The Electoral Commission institutes proceedings with respect to the offence of failing to vote when the person elects to have the matter heard by the court in response to receiving a penalty notice. This is the case even where an elector claims to have no knowledge of the election, given that voting is compulsory. It is made clear in the penalty notice provision of the Electoral Act that it is not a sufficient reason for the failure of an elector to vote at an election that the elector did not know that an election was being conducted. To avoid unnecessary litigation and related costs for all parties, consideration should be given to amending section 207 of the Electoral Act (the offence provision) to put beyond doubt in court proceedings that it is not a defence that the elector did not know that an election was being conducted. This would bring the offence provision in line with the penalty notice provision for failing to vote.

Regulation of electoral funding laws for the election – overview

Political parties, candidates, groups, third-party campaigners, associated entities, agents and other electoral participants in the 2023 NSW State election must comply with electoral funding laws. These include registration for the election and the lawful management and disclosure of political donations and electoral expenditure. The Electoral Commission is responsible for regulating these electoral funding laws, and for administering payments to eligible candidates and parties from the Election Campaigns Fund.

While the nominations for the 2023 NSW State election opened on 27 February 2023 and the writs were issued on 6 March 2023 triggering the start of the regulated period, the regulation of electoral funding for the election began much earlier. The Electoral Commission opens the State Register of Candidates for a State general election at the end of election day for the previous State general election. Candidates intending to contest an election must not accept political donations or make payments for electoral expenditure before being registered, though Members of Parliament who are seeking re-election do not need to be registered. The State Register of Candidates for the 2023 NSW State election opened on 23 March 2019 and the first candidate registered on 31 January 2020, though was not later nominated to contest the election. The first candidate to register for and contest the 2023 NSW State election, registered on 1 November 2021.

The Electoral Commission administered the political donations and electoral expenditure disclosure scheme for the 2023 NSW State election. Political participants have disclosure obligations once registered or when they become a candidate, group or third-party campaigner. Political parties associated entities and elected Members of Parliament have ongoing disclosure obligations for the duration of their registration or term.

There are four different disclosure periods every year following which political participants must lodge, and the Electoral Commission process and publish, the disclosures. This includes two half-yearly political donation disclosure periods; a major political donor disclosure period; and an annual electoral expenditure disclosure period. Every four years, in the lead-up to a State general election, there is an additional pre-election donation disclosure period during which all electoral participants except major political donors must disclose reportable political donations within 21 days of being made or received.

Electoral expenditure of political parties, associated entities, candidates, groups and third-party campaigners is capped during the capped expenditure period for the election and it is an offence to incur electoral expenditure in connection with the election that exceeds the applicable expenditure cap. The capped expenditure period for the 2023 NSW State election started on 1 October 2022 and ended on election day, 25 March 2023. Political donations are also capped though caps on donations are applicable and indexed on a financial year basis.

Complete and accurate accounting and financial records of funding for the election campaign must be kept for all electoral participants so that political donations and electoral expenditure may be disclosed and audited. This includes the issuance of receipts and acknowledgements to donors, the retention of records for at least three years and, where required, opening and managing a campaign account.

After the election, political parties or candidates may be eligible to receive payments from the Election Campaigns Fund to reimburse certain electoral expenditure incurred in connection with the election. The claimable period for the Election Campaigns Fund started on 1 July 2022 and ended on election day in March 2023. Advance payments were available to eligible political parties from 1 October 2022.

Registration of candidates, groups and third-party campaigners, and appointment of agents

The Electoral Commission is responsible for the registration of electoral participants under the Electoral Funding Act. The Act prescribes that, for campaign funding purposes, candidates, groups of candidates and third-party campaigners register for each election they contest. It also provides the rules for the management and disclosure of political donations and electoral expenditure, including the registration of associated entities, and the appointment and registration of party agents for political parties and official agents for third-party campaigners.

Registration

The Electoral Commission registered a total of 947 candidates, groups and third-party campaigners for the 2023 NSW State election as detailed in the Table 2. Of these, 573 candidates were for the Legislative Assembly and 292 candidates were for the Legislative Council.

Table 2: Registrations by stakeholder type on Election Day for the 2023 NSW State election

Candidates	Groups of candidates	Third-party Campaigners	Total
865	21	61	947

Source: NSW Electoral Commission.

Candidate and group registrations for campaign funding purposes

Candidates and groups that intended to accept political donations or make payments for electoral expenditure before being nominated for the 2023 NSW State election were required to first register under the *Electoral Funding Act 2018*. The registration of a candidate or group for campaign funding purposes is a separate process to the candidate or group being nominated for the election (to have their name printed on the ballot paper). To be registered earlier than nomination, a candidate or group was required to make a valid application to the Electoral Commission before the close of nominations at 12noon on Wednesday, 8 March 2023.

Candidates and groups were able to register for the 2023 NSW State election using the Funding and Disclosure Online system or by printing, completing and submitting the applicable form (made available on the Electoral Commission's website). Members of Parliament seeking re-election did not need to register before accepting political donations or making payments for electoral expenditure.

All candidates and groups that did not apply to register before the close of nominations, were deemed registered upon nomination. This meant that after the close of nominations all candidates and groups could lawfully accept political donations and make payments for electoral expenditure.

The details of all registered candidates and groups, including those who applied and those who were deemed registered, were included in the 2023 NSW State Register of Candidates and published on the Electoral Commission's website. An email was sent to all registered election participants confirming their registration and providing details of the electoral funding obligations.

The proportion of candidates and groups that registered before the close of nominations at the 2023 NSW State election was comparable to the previous State general election held on 23 March 2019. In 2023, of the 865 candidates that were registered for the election, 272 or 31 per cent registered before the close of nominations. This compares with the 2019 State general election where 287 or 31 per cent of the 914 nominated candidates registered before close of nomination. This meant that the same proportion of candidates at the two recent State general elections were lawfully able to receive political donations or make payments for electoral expenditure before being nominated for the 2023 NSW State election. Of the 21 groups registered for the 2023 NSW State election before nominating, seven or 33 per cent, registered before nomination. This was a little more than the five, or 25 per cent, of the 20 groups registered for the 2019 NSW State election.

A benefit of registration before nomination is that it enables the Electoral Commission to communicate with candidates who have registered and provide information and resources developed to support their election journey including nomination.

Table 3: Registration of candidates and groups before and after the close of nominations

	Registered before the close of nominations	Deemed registered following on nomination	Total number registered
Candidates in 2023	272 (31%)	592	865
Candidates in 2019	287 (31%)	627	914
Groups in 2023	7 (33%)	14	21
Groups in 2019	5 (25%)	15	20

Source: NSW Electoral Commission.

Third-party campaigner registrations

Third-party campaigners were required to register for the election before making payments of more than \$2,000 for electoral expenditure incurred during the capped expenditure period for the election which started on 1 October 2022 and ended on election day, 25 March 2023.

A third-party campaigner is an individual or entity (other than a political party, elected member, candidate, group of candidates or associated entity) that incurred more than \$2,000 of electoral expenditure during the capped expenditure period for the election, or that registers as a third-party campaigner. Electoral expenditure of a third-party campaigner is expenditure that has the dominant purpose of promoting or opposing a political party or candidate or influencing the vote at the election.

Sixty-one third-party campaigners registered for the 2023 NSW State election. Of these, nine registered using Funding and Disclosure Online and 52 registered using a paper-based form. Their details were included in the Register of Third-party Campaigners, published on the NSW Electoral Commission website. See Appendix C.

Online registration

Of the 272 candidates who registered for the 2023 NSW State election before the close of nominations (13 of whom did not go on to nominate), 181 or 67 per cent registered using Funding and Disclosure Online. A total of 181 candidates, six groups and nine third-party campaigners registered using Funding and Disclosure Online while 91 candidates, one group and 52 third-party campaigners used the manual, paper-based process. Registration of third-party campaigners using Funding and Disclosure Online did not become available until November 2022 at which time many third-party campaigners had already registered using the manual, paper-based process.

Table 4: Registration using Funding & Disclosure online compared with a paper process

Political participant	Registered using Funding & Disclosure Online	Registered using a paper form	Percentage of registrations conducted online
Candidates	181	92	67%
Groups of candidates	6	1	86%
Third-party Campaigners	9	52	15%
Total	196	145	57%

Source: NSW Electoral Commission.

Appointment of agents

The Electoral Commission administered the appointment of 80 agents legally responsible for the campaign finances and disclosures of a political party or a third-party campaigner at the 2023 NSW State election, or an associated entity, as detailed in Table 5.

Table 5: Agent appointments in relation to the 2023 NSW State election

Official agents for Third-party campaigners	Party agents for State registered political	Official agents for Associate entities	Total agents
61	15	4	80

Source: NSW Electoral Commission.

State registered political party agent appointments

The Electoral Commissioner is responsible for the registration of political parties in New South Wales and information about party registration is provided in the Electoral Commissioner's 2023 NSW State election report, Part one. Party registration is not tied to an election but is instead confirmed annually. Fifteen political parties were registered for State elections at the time of the 2023 NSW State election.

The Electoral Commission is responsible for regulating a party's compliance with electoral legislation including electoral funding laws, and for administering public funding. State registered political parties may be eligible to make a claim for public funding including from the Election Campaigns Fund. Public funding is not available to Local Government registered political parties or to unregistered parties. A party, whether registered or not, is required to appoint a party agent responsible for the management and disclosure of political donations and electoral expenditure. This appointment is ongoing and not tied to a specific election. The 15 State registered political parties each appointed a party agent who was responsible for managing their 2023 NSW State election campaign finances. See Appendix C.

Third-party campaigner official agent appointments

A third-party campaigner must appoint an official agent who is responsible for complying with disclosure and campaign account legal requirements on behalf of the third-party campaigner. Sixty-one official agents were appointed by third-party campaigners registered for the 2023 NSW State election. Their details were included in the Register of Official Agents of Third-party Campaigners, published on the NSW Electoral Commission website. See Appendix C.

Associated entity official agent appointments

An associated entity must be registered with the Electoral Commission. An associated entity must appoint an official agent responsible for the management and disclosure of political donations and electoral expenditure. A person can be an agent for more than one electoral participant. Four entities associated with the Liberal Party were registered at the time of the 2023 NSW State election, and each had the same appointed official agent to be responsible for their electoral finance obligations. The official agent appointed by the four associated entities was also the party agent. Details are included in the Register of Associated Entities and Register of Official Agents for Associated Entities published on the NSW Electoral Commission website.

Public funding – Election Campaigns Fund

The Election Campaigns Fund is intended to reimburse eligible candidates and State registered political parties for certain electoral expenditure incurred in connection with a State election. After a State election, a political party or candidate that is eligible to receive a payment from the Election Campaigns Fund, may make a claim with the Electoral Commission. The claimable period for the 2023 NSW State election started on 1 July 2022 and ended on election day, 25 March 2023. Copies of claims and reports on payments made from the Election Campaigns Fund are published on the Electoral Commission's website.

Changes to the administration of the Election Campaigns Fund were introduced by the *Electoral Legislation Amendment Act 2022* on 2 November 2022 ahead of the 2023 NSW State election, providing increased advanced payments from the scheme. Where a party was previously entitled to claim an advance payment of 50 per cent, the change entitled a party to receive a further advance payment of 25 per cent of the total amount to which it was entitled, after the issue of writs for the 2023 NSW State election. Advance payments were available for eligible parties from 1 October 2022.

The eligibility criteria for political parties and candidates is set out in the *Electoral Funding Act 2018*. A party is eligible if, among other things, it is registered and the total number of first preference votes received by the party's endorsed candidates in either the Legislative Assembly or Legislative Council election is at least four per cent, or at least one endorsed candidate of the party is elected.

A candidate is eligible if, among other things, the candidate is registered and:

- (in the case of a Legislative Assembly candidate) receives at least four per cent of the first preference vote in their district, or
- (in the case of a Legislative Council candidate) was not a member of a group that was endorsed by a party, and receives at least four per cent per cent of the first preference vote in the Legislative Council.

A party or candidate is not eligible to receive any preliminary or final payments from the Election Campaigns Fund if the party or candidate has any outstanding disclosures of political donations or electoral expenditure or if a party has outstanding audited annual financial statements.

The amount of public funding to be distributed from the Election Campaigns Fund to an eligible candidate or party is the lesser amount of the following:

- a dollar amount per first preference votes received by an eligible candidate or by an eligible party's endorsed candidates
- the total amount of actual campaign expenditure incurred by the party and all of its endorsed candidates.

The 'dollar per vote' public funding scheme was introduced at the 2015 NSW State election. It made public funding available to eligible parties as well as eligible candidates who are not endorsed by an eligible party. The amounts are set out in Table 6.

Table 6: "Dollar per vote" public funding available in relation to the 2023 NSW State election

Criteria
<p>Category A (party): an eligible party that has at least one Legislative Assembly candidate elected, or the party's endorsed candidates in the Legislative Assembly received, in total, at least four per cent of the total first preference votes in the electoral districts for which the candidates were nominated; or an eligible party that does not satisfy the above criteria but has 10 or more endorsed candidates in the Legislative Assembly election:</p> <p>\$4.66 per first preference vote received by the endorsed candidates of the party in the Legislative Assembly, plus \$3.50 per first preference vote received by the endorsed candidates of the party in the Legislative Council</p>
<p>Category B (party): A party that does not satisfy category 'A' that has less than 10 (including zero) endorsed candidates in the Legislative Assembly election:</p> <p>\$5.25 per first preference vote received by the endorsed candidates of the party in the Legislative Council</p>
<p>Eligible candidates</p> <p>\$4.66 per first preference vote received by a candidate for a Legislative Assembly election</p> <p>\$5.25 Per first preference vote received a candidate for a Legislative Council election</p>

Source: Electoral Funding Act 2018 and the Electoral Funding (Adjustable Amounts) Amendment (Public Funding) Notice 2019.

Actual campaign expenditure of a party or candidate for the 2023 NSW State election means electoral expenditure incurred by the party or candidate in connection with the election from 1 July 2022 to 25 March 2023.

Claims and payments from the Election Campaigns Fund

To receive a payment from the Election Campaigns Fund, the eligible candidate or party is required to make a claim for payment. This is to include actual campaign expenditure of the eligible candidate or, in the case of an eligible party, actual campaign expenditure of the party and its endorsed candidates. The combined total maximum entitlement for all eligible parties was \$33.9 million, as shown in Table 7. Advance payments were made to seven eligible parties prior to the election. Each of the seven parties received advance payments that were equal to 75 per cent of the amount each party was entitled to receive from the Election Campaigns Fund for the 2019 NSW State election.

Payments totalling \$1,049,048.72 have been made to 57 candidates entitled to receive reimbursement from the Election Campaigns Fund for electoral expenditure in connection with the 2023 NSW State Election. See Appendix D for a list of payments made to candidates, as at 22 September 2023.

Table 7: Election Campaigns Fund for eligible registered parties at the 2023 NSW State election

Party name	Maximum entitlement	Advance payments made before election*	Prepayment amounts paid after election*	Repayment of advance payment, if required	Final payment amount*	Total paid as at 22 Sept 2023
Animal Justice Party	Not entitled to claim **	\$51,001.01	Not applicable	\$51,001.01	Not applicable	Not applicable
Australian Labor Party (NSW Branch)	\$14,016,014.96	\$3,962,490.46 \$1,981,245.23	\$6,670,677.77	Not applicable	\$1,401,601.50	\$14,016,014.96
Legalise Cannabis NSW Party	\$873,052.62	Not applicable	Not applicable	Not applicable	\$91,383.23	\$91,383.23
Liberal Democratic Party	\$753,619.30	Not applicable	Not applicable	Not applicable	Claim assessment in progress	-

Party name	Maximum entitlement	Advance payments made before election*	Prepayment amounts paid after election*	Repayment of advance payment, if required	Final payment amount*	Total paid as at 22 Sept 2023
National Party of Australia - NSW	\$3,298,675.95	\$1,696,679.95 \$848,339.97	\$423,788.44	Not applicable	Claim assessment in progress	\$2,968,808.36
Pauline Hanson's One Nation	\$1,351,858.78	\$217,750.51 \$108,875.26	Not applicable	Not applicable	Claim assessment in progress	\$326,625.77
Shooters, Fishers and Farmers Party (NSW) Incorporated	\$837,028.28	\$711,419.78 \$355,709.89	Not applicable	\$230,101.39	Not applicable	\$837,028.28
The Greens NSW	\$3,592,484.60	\$1,440,571.01 \$720,285.50	\$1,072,379.63	Not applicable	Claim assessment in progress	\$3,233,236.14
The Liberal Party of Australia, New South Wales Division	\$9,190,249.49	\$4,902,399.24 \$2,451,199.62	\$917,625.68	Not applicable	Claim assessment in progress	\$8,271,224.54
Totals	\$33,912,983.98	\$19,447,967.43	\$9,084,471.52	281,102.40	1,492,984.73	29,744,321.28

Source: NSW Electoral Commission at 22 September 2023. Over time, as claims are assessed and processed, this information is subject to change. Copies of claims and payments are published on the Electoral Commission's website.

*Note: A party can receive its entitlement in the following instalments:

1. Advance payment: 50% of the party's entitlement in the 2019 NSW State Election, paid between 1 October 2022 and before the issue of the Writs (6 March 2023) for the general election and a further 25% paid after the issue of the writs.

2. Prepayment: 90% of the party's estimated entitlement for the 2023 NSW State Election less the advance payment, if the entitlement amount cannot be finalised within 14 days of the claim for payment being lodged. Paid within 14 days of claim lodged (after 2023 NSW State election).

3. Final payment: the balance of the party's finalised entitlement, if the full entitlement was not paid within 14 days of claim lodgement.

**Note: The Animal Justice Party, while entitled to receive an advance payment before the election, did not meet any of the eligibility criteria following the declaration of the results. The party reimbursed its advance payment within 60 days of the day for the return of the writs.

When a claim for payment is made by a party and is supported by adequate vouching for expenditure, a preliminary payment will be made to the party within 14 days – if the party is eligible to receive a payment and if the Electoral Commission is not able to finalise auditing the claim within that period. A preliminary payment is equal to 90 per cent of the estimated amount payable to the party reduced by any advance payment already received by the party. A final payment is made to a party once the Electoral Commission has audited the party's claim and confirmed the party is eligible to receive the final payment.

The Electoral Commission must approve all payments to parties and candidates from the Election Campaigns Fund. It may disallow items of expenditure included in a claim if the expenditure is not actual campaign expenditure of the party or candidate, if the expenditure has been incurred unlawfully, or if there are no supporting documents to substantiate the expenditure. The Electoral Commission recovers any amount assessed to be an overpayment. Two parties were required to repay amounts following the 2023 NSW State election. Claims for payment, and details of payments made, are published on the NSW Electoral Commission website.

Caps on electoral expenditure

Electoral expenditure was capped at the 2023 NSW State election, limiting the amount of expenditure that could be incurred by political parties, associated entities, candidates, groups of candidates and third-party campaigners during the State capped expenditure period for the election. The capped State expenditure period began on 1 October 2022 and ended on 25 March 2023.

The expenditure cap applicable to a party was based on the number of endorsed candidates of the party in the Legislative Assembly election. If the party had more than 10 endorsed Legislative Assembly candidates, the expenditure cap was calculated by multiplying the number of the party's endorsed Legislative Assembly candidates by \$132,600. If a party had 10 or fewer endorsed candidates for the Legislative Assembly election, the expenditure cap of the party was \$1,389,900. Within a party's overall expenditure cap, a party was only entitled to incur up to \$66,400 in respect of a Legislative Assembly electoral district.

The expenditure caps that applied to candidates are shown in the following table.

Table 8: Candidate expenditure caps (by candidate type)

Candidate type	Cap
Independent group of candidates for the Legislative Council election	\$1,389,900
Party endorsed candidates for the Legislative Assembly election	\$132,600
Independent candidates for the Legislative Assembly election	\$198,700
Ungrouped candidates for the Legislative Council election	\$198,700

Source: Electoral Funding Act 2018.

A third-party campaigner was entitled to incur up to \$26,700 in respect of a Legislative Assembly electoral district and had an overall expenditure cap of \$1,288,500 if registered for the election prior to 1 October 2022, or \$644,300 in any other case.

For the purpose of expenditure caps, expenditure is taken to be incurred when the goods are delivered or when the services are provided. For example, when an advertisement is broadcast or published.

Certain exemptions apply to electoral expenditure for the purpose of calculating caps on electoral expenditure for candidates, groups and parties. This includes electoral expenditure incurred for the purpose of raising funds for the election; auditing a party or candidate's campaign accounts; travel and accommodation for candidates and staff engaged in electoral campaigning (unless in a vehicle displaying advertising or electoral material); and for office accommodation for a single campaign office for a candidate or a party engaged in an election campaign (but only to a maximum amount of \$20,000).

Aggregation rules apply to electoral expenditure incurred for state election campaigns. Information about these rules is published on the Electoral Commission website.

Caps on political donations

Political donations made to political parties, elected members, candidates, groups of candidates, associated entities, and third-party campaigners are capped in New South Wales. The caps on political donations are adjusted for inflation each financial year. The donation caps that applied at the 2023 NSW State election were those adjusted for the 2022-23 financial year. These are shown in Table 9.

Table 9: Caps on political donations for 2022-23

Stakeholder type	Cap
Registered parties and Legislative Council groups	\$7,000
Unregistered parties, candidates, elected members, associated entities and third-party campaigners	\$3,300

Source: Electoral Funding Act 2018.

Donation cap exemptions

The following exemptions applied to the caps on political donations at the 2023 NSW State election.

Party membership and affiliation fees

A fee paid to a party by a member of the party, or by an affiliate of the party, is not subject to the caps on political donations, except the following:

- a membership fee more than \$2,000
- an affiliation fee more than \$2,000, if the affiliation fee is not based on the number of members of the affiliate, or the fee is more than \$2,000 multiplied by the number of members of the affiliate, if the fee is based on the number of members of the affiliate.

Party levies paid by elected members

A party levy paid to a party by an elected member, or a candidate who is a member of the party, is a political donation but is not subject to the caps on political donations.

Donations by a Legislative Assembly candidate to a party

During the financial year in which a Legislative Assembly general election or by-election is held, a Legislative Assembly candidate who is a member of a party can make a political donation to the party, that is exempt from the cap on political donations, up to \$66,400, the maximum amount of electoral expenditure the party can incur in respect of the candidate's electoral district for the 2023 State election. This is separate to a candidate making a contribution to finance their own campaign, rather than the party's campaign. Such contributions are not political donations and are not subject to the caps on political donations.

Donations by a Legislative Council candidate

During the financial year in which a Legislative Council election is held:

- a Legislative Council candidate who is a member of a party can make a political donation to the party of up to \$55,800
- a Legislative Council candidate who is not a member of a party but is a member of a group can make a political donation to the group up to \$55,800.

The amount of political donations made by the candidate to the party or group (as applicable) that exceeds \$60,000 is subject to the caps on political donations.

Donations paid into a federal campaign account

A political donation is exempt from the caps if it is paid into an account kept exclusively for federal election campaigns.

Donations to a third-party campaigner not paid into a campaign account

A political donation to a third-party campaigner that is not to be paid into the third-party campaigner's campaign account is exempt from the caps.

Prohibition on cash donations over \$100

Cash donations of over \$100 are prohibited in NSW and the 2023 NSW State election was the first State general election at which the ban on cash donations over \$100 was in effect.

The Electoral Commission delivered a range of awareness-raising activities for its stakeholders about the rules for receiving donations, including this ban on cash donations. These activities included webinars, educational videos and a social media campaign on digital platforms.

Disclosure of political donations and electoral expenditure

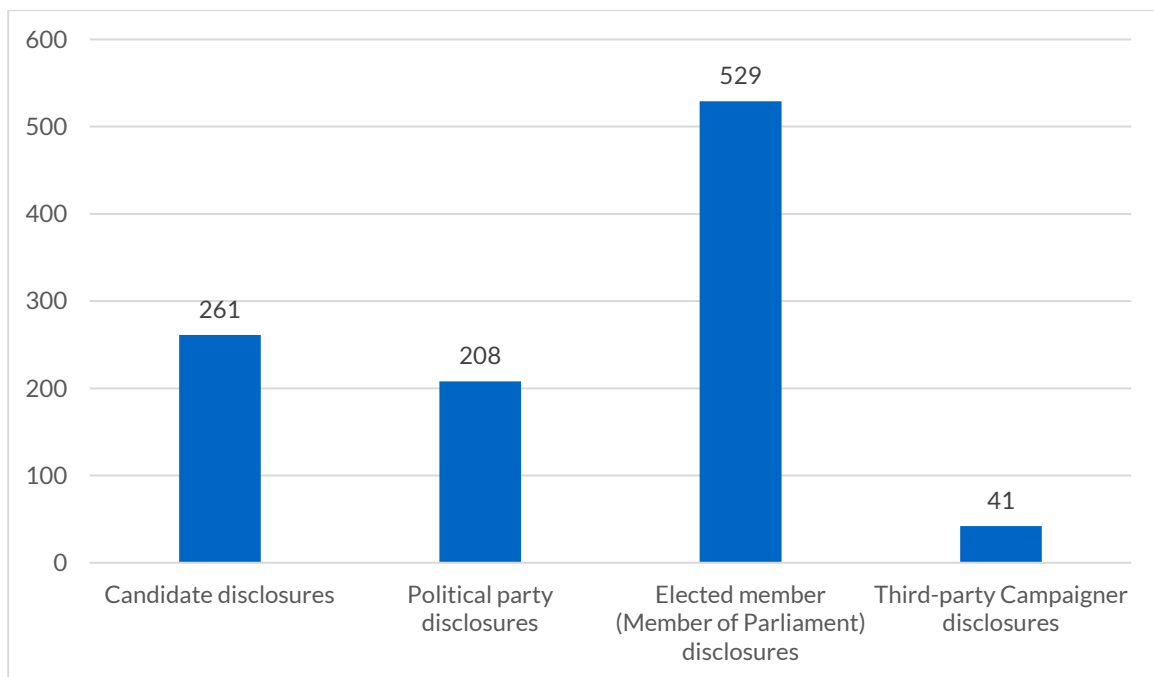
Pre-election period disclosure of political donations

Under the *Electoral Funding Act 2018* disclosures of reportable political donations made and received during the pre-election disclosure period must be submitted by parties, elected members, candidates, groups of candidates, associated entities, and third-party campaigners within 21 days. The 'pre-election period' for the 2023 NSW State election started on 1 October 2022 at the beginning of the capped expenditure period and ended on election day, 25 March 2023. The latest reporting day by which donations, received on election day, were to be disclosed was 21 days after election day on Monday, 17 April 2023.

A reportable political donation is a donation that is valued at \$1,000 or more, and includes multiple donations made by the same donor to the same recipient that in aggregate are valued at \$1,000 or more in one financial year. The requirement to disclose ahead of a State general election does not apply to major political donors. Donors are required to disclose reportable political donations made, following the end of the 2022-23 financial year by 11 August.

More than \$6.5 million in reportable political donations was disclosed to the Electoral Commission in 1,039 pre-election disclosures for the 2023 NSW State election by political parties, elected members, candidates and third-party campaigners. Under the *Electoral Funding Act 2018*, the Electoral Commission is required to publish these disclosures as soon as practicable on the Electoral Commission's website. When a disclosure is amended, both the original disclosure and the amendment are published on the Electoral Commission website and at the time of publication 114 amendments of pre-election disclosures were lodged.

Figure 1: Pre-election period donation disclosures (including amendments) made by stakeholder type

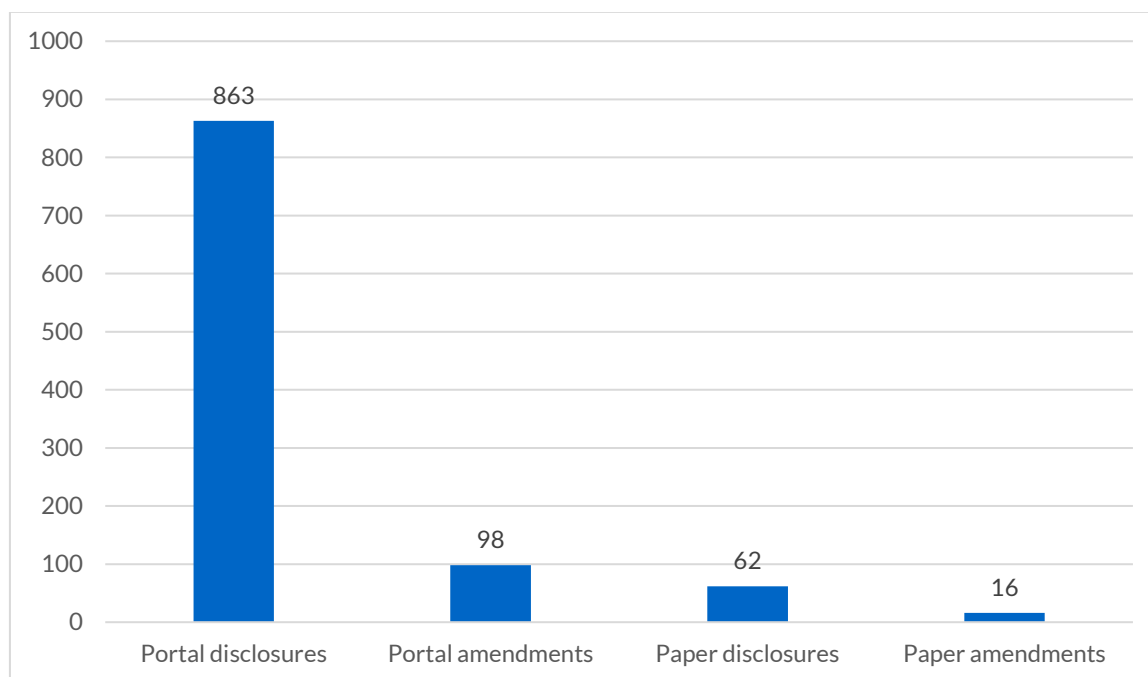


Source: NSW Electoral Commission data at 25 September 2023. Note: disclosure numbers may increase over time as late disclosures are lodged and published, and a disclosure can be amended at any time after it is submitted and published.

Online disclosures

Of the 1,039 pre-election disclosures received, 961 disclosures and amendments were submitted using the Electoral Commission's Funding and Disclosure Online system. PDF disclosure forms were available on the website and 78 pre-election disclosures were submitted using a paper form. Funding and Disclosure Online went live in 2021, so online registrations and disclosures were not available for the 2019 State election and paper-based forms were used.

Figure 2: 2022/23 Pre-election disclosures submitted using Funding & Disclosure Online compared with a paper process



Source: NSW Electoral Commission data at 25 September 2023. Note: numbers of disclosures may increase over time as late disclosures are lodged and published, and a disclosure can be amended at any time after it is submitted and published.

Online disclosure has reduced lodgement of invalid disclosures

Over 90 per cent of pre-election disclosures were submitted using Funding and Disclosure Online and there were no pre-election period disclosures assessed as invalid compared to invalid pre-election disclosures at the 2019 NSW State election. At the last State general election, there were 358 pre-election disclosure paper forms submitted, and 40 (11 per cent) of these were assessed as invalid for reasons including:

- the form was not signed, and/or dated within the prescribed lodgement period
- the form was signed by the wrong person
- the wrong form was used, or the disclosure was not required
- the form was incomplete or missing information.

Each invalid form takes additional processing/checking time and effort, and multiple communications between the stakeholder and Electoral Commission staff to resolve, revise, resubmit, as required. The online system has reduced these time-consuming activities, and more valid disclosures are lodged first time. The online option has been designed to support participants comply and meet their disclosure obligations, for example, functionality includes inbuilt validations and checks to reduce data entry mistakes, prevent the selection of an incorrect form or date or address, and there are step by step instructions guiding portal users, based on their user profile and statutory role and what forms are due for lodgement, through to the electronic signature and submission step.

There are some persistent errors made and issues experienced with both paper and online disclosure, however, which the Electoral Commission monitors and supports stakeholders to resolve, where practicable. Resolving these issues can delay the publication of disclosure information. The issues identified during the processing of pre-election disclosures at both the 2019 and the 2023 State elections include:

- verifying donor details, for example: an individual donor and their residential address cannot be matched on the electoral roll; an individual donor is reported instead of an entity business donor of which they are associated; two donors (usually a couple) are reported as making a single 'joint' donation rather than their individual donations being reported; donor information is incomplete; and sometimes details of small donations or transactions not required to be disclosed are included on a disclosure form.
- the person responsible for submitting the disclosure advises that it was lodged in error or is incorrect before it has been processed and an amendment can be generated. Regardless of the method of lodging disclosures, persons responsible for disclosing can identify errors or issues at the time of lodgement and may wish to resubmit/replace the disclosure, especially if information has been included on the disclosure which does not need to be disclosed to the Electoral Commission.

There were nine pre-election period disclosures submitted via the portal, and one paper disclosure submitted, which were assessed during the Electoral Commission's initial processing step as containing information that did not need to be disclosed or the donor information needed correcting or the stakeholder indicated the disclosure was incorrect, and a new disclosure was lodged and published.

The Electoral Commission reinforces with election participants the importance of recording accurate information about donors when receiving donations, ensuring compliant receipts are issued and accurate records kept. The Electoral Commission is also mindful of the requirement for disclosures to be published in a timely fashion, to support the transparency objects of the electoral funding legislation and will be reviewing its practices ahead of the next State general election to identify opportunities for even earlier publication of disclosures and amendments. As well, guidance and the Funding and Online System continue to be improved to further streamline the processes for making disclosures, within the parameters of the legislation.

Pre-election period disclosures lodged or amended after election day

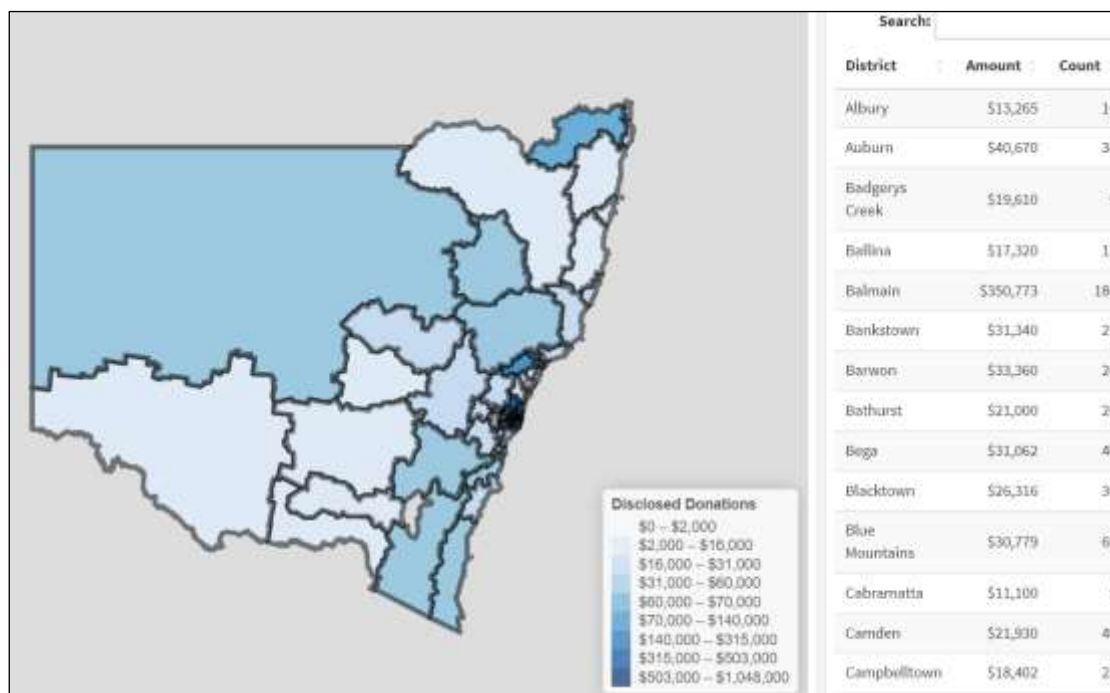
More than \$4.5 million in donations was reported in pre-election period disclosures before or on election day and more than \$2 million in donations were reported in disclosures submitted within 21 days after election day or later. Some pre-election donation disclosures were amended before and after election day. On or before election day there were fifty-five amendments made to previously lodged pre-election disclosures. There were sixty-three amendments made after election day. These amendments will be reviewed by the Electoral Commission's compliance team to identify whether there have been any contraventions in relation to the original disclosures or late disclosures.

Information about pre-election donations published by donor location in New South Wales

To complement the published disclosures, the Electoral Commission published a map on 22 May 2023 that provided a data visualisation of the value of political donations based on the location of donors. Donations were included on the map according to the electoral district in which the individual donor was enrolled, or in which the entity/business donor offices were located. Donation recipients were also readily identified by another list that was published on the website to complement the disclosures by presenting the disclosed information in another format.

The Electoral Commission is exploring ways to publish more data, following elections and in between elections, in ways that will support transparency and consideration of electoral policy issues.

Figure 3: Pre-election period donations received – data visualisation map



Source: NSW Electoral Commission, data published on the website at 22 May 2023.

These education, information and publication activities relate to **Regulatory Priority 4:** election participants meet their political donation disclosure obligations for the 2023 NSW State election pre-election period and **Regulatory Priority 8:** Regulated participants in NSW elections have access to useful and timely information about their key obligations.

Half-yearly disclosure of political donations due during the election period

All other political donations made and received by parties, elected members, candidates, groups, associated entities and third-party campaigners must be disclosed following the half-yearly periods ending 31 December and 30 June. The reporting period for the first half-yearly donations disclosures for the 2022-23 financial year occurred during the 2023 NSW State election period, with the final due date for disclosures being 13 February 2023 ahead of the 25 March 2023 election. The half-yearly donation disclosures received by the due date were published on 13 March 2023 on the Electoral Commission’s website, alongside the pre-election period donation disclosures submitted during the election period which were published progressively, giving greater visibility of election funding.

Annual electoral expenditure disclosure

Electoral expenditure incurred by parties, elected members, candidates, groups, associated entities and third-party campaigners must be disclosed following the end of the 2022-23 financial year. The due date for annual electoral expenditure disclosures for the financial year during which the 2023 NSW State election was held was 22 September 2023. Once processed, copies of these disclosures are published on the Electoral Commission’s website.

Annual major political donor disclosure

A major political donor is required to disclose all reportable political donations of \$1,000 or more made to a NSW political party, elected member, group, candidate, third-party campaigner or associated entity during the annual disclosure period. The due date for annual major political donor donation disclosures for the financial year during which the 2023 NSW State election was held was 11 August 2023. Once processed, copies of these disclosures are published on the Electoral Commission's website.

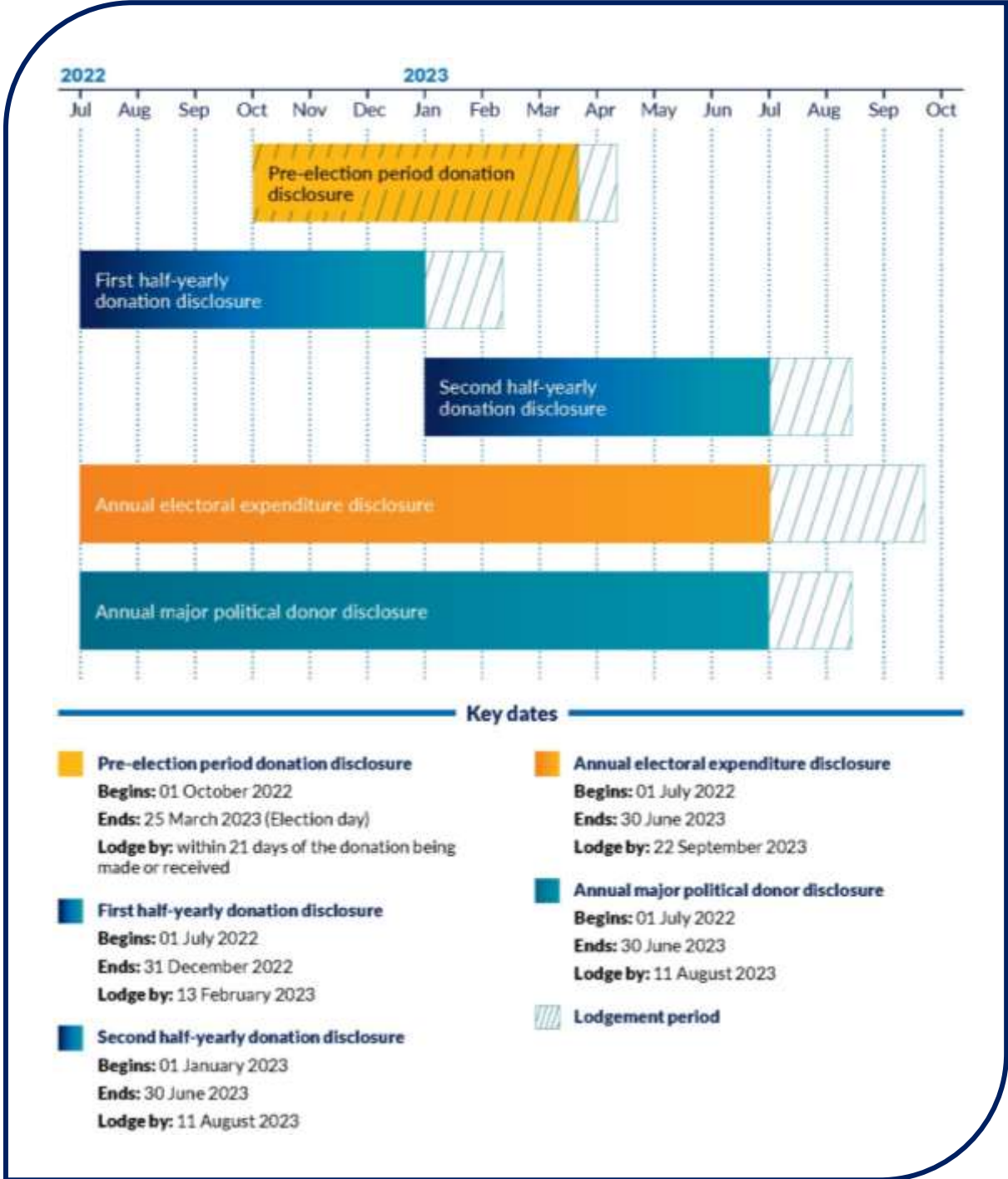
Due dates for disclosure were changed ahead of the election

The due dates for disclosure of political donations were changed ahead of the 2023 NSW election with the commencement of the *Electoral Legislation Amendment Act 2022* on 2 November 2022. This change extended the reporting period from four to six weeks after the end of a half-yearly and yearly period and changed the final due dates. For the period ending on 31 December 2022 the final due date became 13 February 2023, and for the half-yearly and yearly periods ending 30 June 2023, the final due date became 11 August 2023.

Following commencement of the new legislation in 2022, the Electoral Commission updated its systems, disclosure forms, website, policies and procedures. A state-wide communications campaign raised awareness of the new donation and expenditure disclosure requirements and due dates.

This education and information campaign relates to **Regulatory Priority 8: Regulated participants in NSW elections have access to useful and timely information about their key obligations.**

Figure 4: Disclosure periods and due dates for 2022-23



Source: NSW Electoral Commission.

Support and guidance for election participants

A key objective of the *Electoral Funding Act 2018* is to promote compliance by parties, elected members, candidates, groups, agents, associated entities, third-party campaigners and donors with the requirements of the electoral funding, expenditure and disclosure scheme. To achieve this for election participants at the 2023 NSW State election, the Electoral Commission provided extensive direct and indirect support and guidance to political participants.

Resources to promote compliance with the requirements of the *Electoral Act 2017* and *Electoral Funding Act 2018* were provided in person, through direct engagement with duty-holders and indirectly through our various communications channels and are summarised below. Detailed information about education and information to election participants is also provided in the NSW Electoral Commissioner's report – see Part one.

A focus on improving support and education for political participants at the 2023 NSW State election was guided by **Regulatory Priority 8** which sought to ensure that regulated participants in NSW elections have access to useful and timely information about their key obligations.

Support by phone and email

During the lead-up to and just after the 2023 NSW State election, from 6 January to 28 April 2023, the Electoral Commission's telephone helpdesk responded to 7,391 calls from candidates and other election participants seeking support. Calls requiring specialist advice were either redirected by phone to a subject matter expert within the agency or an email sent, and a response provided in writing shortly after. More than 3,100 emails were responded to during this period.

During the capped expenditure period for the election, from 1 October 2022 to election day on 25 March 2023, funding and disclosure client services officers answered 680 emails sent to the Funding, Disclosure and Compliance email account with questions specific to the *Electoral Funding Act 2018*.

Direct engagement about electoral funding obligations

The Electoral Commission provided guidance about the obligations that apply in relation to the 2023 NSW State election directly to election participants that were registered/appointed:

- emails were sent to all election participants in our database explaining changes to the law as part of implementing the *Electoral Legislation Amendment Act 2022* in the leadup to the 2023 NSW State election
- an email was sent to each election participant registering for the 2023 NSW State election, detailing their legal obligations under the law and providing access to resources providing information about those requirements
- two email reminders were sent to each election participant with a disclosure obligation and the persons responsible for disclosure, providing access to resources with information about those disclosure obligations

- a text message was sent to all election participants with a disclosure obligation the day before the final due date for disclosure, reminding them of their obligation to disclose
- 2023 NSW State election bulletins, providing guidance about legislative and administrative requirements ahead of due dates and provide key information about the election, were sent to each registered election participant and also published on the website
- in person information sessions were held with election participants including at Parliament House and upon request
- webinars explaining all aspects of the regulatory and administrative requirements of the 2023 NSW State election.

General guidance available for the State election

Guidance about electoral funding obligations was made available to all election participants in the following ways:

- website content about registration, the management and disclosure of political donations and electoral expenditure and changes to the law, election calendar
- instructional video animations about key aspects of electoral funding laws are made available on the website and via social media
- 2023 State election webinars explaining all aspects of the regulatory and administrative requirements of the 2023 NSW State election
- handbook for candidates, political parties and scrutineers published on the website
- fact sheets covering the key requirements for the 2023 NSW State election for each stakeholder type, published and distributed in the leadup to the election
- social media and other advertising mediums, used to convey information to political participants who might not be receiving direct communications.

Voting and counting compliance operation

Compliance support for voting centre managers

For the 2023 State election, the training material for voting centre managers was improved to include practical information about how to monitor and enforce compliance with the legislative requirements for electoral material and the conduct of political participants at and around voting centres. It provided guidance on how to deal with simple contraventions and when to escalate more complex matters or repeated contraventions to the compliance team. Voting centre managers were provided with a dedicated number to call to report any issues directly to a compliance officer.

The compliance education and training initiatives focused on prevention to support **Regulatory Priority 1**: Electoral material and other election-related material does not mislead electors about the electoral process, and **Regulatory Priority 2**: Voting in person at NSW elections is free of interference.

State-wide additional compliance operation for voting and counting centres

An additional voting and counting period compliance operation commenced on Saturday, 18 March 2023 and concluded at the end of counting for the State election. The operation's objectives were aligned to the Electoral Commission's Regulatory Priorities for 2022-23, which included:

- monitoring electoral material to ensure it was not misleading
- ensuring that electors could freely cast their votes in person at voting centres without interference.

Throughout the voting and counting period the compliance operation achieved the following objectives:

- maintained a visible Electoral Commission compliance presence during the early voting period
- maintained a visible Electoral Commission compliance presence on election day, especially at voting centres with anticipated higher voter turnout
- promptly responded to and reviewed allegations related to breaches of the *Electoral Act* and *Electoral Funding Act*
- proactively addressed compliance issues before and during the election event rather than addressing them after the fact.

The operation involved standing up 10 field teams consisting of core Electoral Commission Investigation and Audit staff, six former NSW police officers, and three seconded staff from the Australian and Victorian Electoral Commissions. Additionally, there was a dedicated investigator to assist in identifying, triaging, and acknowledging allegations promptly. This new approach meant every allegation received by the Investigation Team was acknowledged within one business day and actioned as soon as practicable. The Electoral Commission's Investigation Matter Management System was also enhanced to capture this information in a structured way.

During the operation, field teams were present at early voting centres and voting centres on election day. The teams inspected voting centres engaging with various stakeholders, including the election manager, voting centre manager, candidates, campaigners and volunteers. The teams served the dual purpose of educating stakeholders on their obligations under electoral legislation and acting as a deterrent for non-compliant behaviour.

Teams were focussed in three main metropolitan areas:

- Sydney metro area
- Illawarra, and
- Newcastle/Hunter.

Additionally, three teams were sent to regional areas including the Far and Mid-North Coast, Central West and South Coast.

During early voting, 218 early voting centres in 63 out of the 93 electoral districts were visited at least once. On election day, 94 voting centres in 17 electoral districts were attended. The teams were deployed in accordance with intelligence gathered in the lead-up to and during the election period.

During the early voting period, some venues were visited multiple times due to emerging issues, mainly involving conflicts between opposing candidates and volunteers. At an early voting venue in the Hawkesbury, NSW Police were called and issued four 'move along' directions to two candidates and two volunteers.

The State-wide compliance operation during early voting and visits to voting centres relates to **Regulatory Priority 2: Voting in person at NSW elections is free of interference.**

In Maitland, there was an incident where footage of Electoral Commission staff lawfully removing ballot boxes from an early voting centre was shared online. This led to widespread filming of electoral staff particularly in Maitland and Wollongong, during the early voting period, which fuelled disinformation online about electoral processes.

To address these situations, field teams prioritised attending these locations to support election officials and, if considered necessary, liaised with local Police to ensure the safety of electoral workers. At the conclusion of voting, field teams assisted in the management of scrutineers at the central count centre.

Overall, participants were generally compliant and notable incidents occurred only in a small number of districts.

Safety planning

Consistent with the Electoral Commission's focus on the safety of its staff, prior to the voting period, a structured risk assessment was conducted to identify safety risks involved with field operations and ensure that appropriate measures were in place to reduce the risks to an acceptable level. The risk register formed part of the training material for all officers involved in the field compliance operation.

Effectiveness of compliance operations

Voting centre managers, particularly at remote and high-volume voting centres, welcomed the presence of the specialist compliance teams, reporting they felt supported when dealing with day-to-day operational issues, complaints and allegations.

Recruiting former NSW police officers and offering secondments from other electoral commission helped to expand the Electoral Commission's compliance capacity, while also providing our staff with exposure to perspectives from other electoral and law enforcement agencies. The Electoral Commission sees benefits in continuing this collaboration at future elections.

At this election, a dedicated compliance resource was also co-located within the Electoral Commission's election operations team to ensure allegations were identified, acknowledged, and triaged promptly and appropriately. This realised an improvement in the timeliness and effectiveness of compliance and enforcement procedures during early voting and on election day.

Investigations and social media monitoring

Reports of contraventions

Investigators reviewed 121 matters concerning alleged breaches of legislation arising from the 2023 NSW State election. This number does not include electoral funding matters that may be identified on an ongoing basis through the audit of disclosures. These matters will be included in future annual reports of the Electoral Commission.

Each allegation arising in the context of the 2023 State election was reviewed in accordance with the NSW Electoral Commission's Compliance and Enforcement Policy. As for previous State elections, the compliance response focussed again on educating political participants to address any non-compliance as a priority. Of these 121 matters, 69 per cent pertained to non-compliant electoral material.

As of September 2023, four of the 121 matters were still under investigation. The other 117 matters have been reviewed and it was either determined that no breach had occurred, or that it was appropriate in the circumstances to take a simple enforcement action such as a written warning.

Table 10: Allegation breakdown for the 2023 NSW State election

Offence type	Outcome	Number
Electoral material	No further compliance or enforcement action required	26
	Warning	57
	Ongoing	1
Canvassing during early voting	No further compliance or enforcement action required	2
	Warning	10
Maintenance of order at an early voting centre	No further compliance or enforcement action required	1
	Warning	2
Maintenance of order at a voting centre	No further compliance or enforcement action required	1
Conduct at public meeting	No further compliance or enforcement action required	1
Bribery/Intimidation	No further compliance or enforcement action required	1
	Ongoing	1
Misuse of enrolment information	Ongoing	1
False statement	No further compliance or enforcement action required	1
Forging electoral paper	Ongoing	1

Offence type	Outcome	Number
Electoral funding offences relating to third-party campaigners	No further compliance or enforcement action required	7
	Warning	1
	Penalty Notice	1
Electoral funding offences relating to candidates	No further compliance or enforcement action required	1
	Warning	1
Potential unlawful donations	No further compliance or enforcement action required	2
	Warning	1
	Voluntary Recovery	1
Total		121

Non-complying electoral material online and SMS

Legislative amendments were made in February 2023 for social media posts and SMS. These changes included:

- For social media posts by electoral participants, for which no amount is paid to the social media platform provider, the authorisation including the electoral participant's name and address can be displayed on the social media account profile for that account, or on a website that is directly linked to in the post. If the authorisation is shown in a video or animation, the name and address must be legibly shown for at least three seconds.
- Social media posts not made by or on behalf of an electoral participant do not require an authorisation provided that no amount is paid nor any benefit given to the person who published the post, or the social media platform provider.
- SMS messages containing electoral material must contain the authorisation unless the message contains a hyperlink to a website where the relevant name and address are published, and the website remains active for the duration of the regulated period, or the name and address are included in a separate SMS sent immediately after the message containing the electoral material, and the messages are both sent from the same number.

The Investigations team and Communications team monitored social media activity in the lead-up to and throughout the regulated period. In the lead-up to the regulated period, education was provided to political participants if their material would have been found to be in breach had it been published during the regulated period. Where a social media post was found to be in breach during the regulated period, the relevant political participant was requested to remediate the breach and any action they took was considered as a mitigating factor in the formal compliance review of the matter.

Disinformation online

In preparation for increased campaigning on social media, the Electoral Commission communicated with representatives from social media platforms informing them about the upcoming election and setting up reporting channels for identifying non-compliant electoral material. This approach was consistent with the Electoral Council of Australia and New Zealand (ECANZ) Statement of Intent concerning electoral management arrangements with online platforms for Australian elections (published on the ECANZ website).

During the election period, the Electoral Commission requested Facebook and Tik Tok to remove two posts each, while Twitter was requested to remove one post. These posts featured videos of election officials working at voting centres and included footage allowing them to be identified. All requests were promptly reviewed by social media platforms and all but one post was removed for violation of the relevant platform guidelines or terms of service. The other post was not removed but a warning label was added stating that it included false information and a link was made to a fact-checking article.

Table 11: Potential offences under the Electoral Act 2017

Reference	Offence	Maximum penalty
S.121	Conduct of scrutineers	\$5,500 or 6 months imprisonment or both
S.123(2)	Conduct at a voting centre	\$1,100
S.183	Printing, publishing and distributing non-complying electoral material	Corporation: \$11,000 Other: \$2,200 or 6 months imprisonment or both.
S.184(2)	Display of posters	Corporation: \$11,000 Other: \$2,200 or 6 months imprisonment or both
S.186	Name and address on electoral material	Corporation: \$11,000 Other: \$2,200 or 6 months imprisonment or both
s.187	Authorisation of advertisements on electronic billboards, digital road signs etc.	Corporation: \$11,000 Other: \$2,200 or 6 months imprisonment or both
S.198	Canvassing on election days	\$2,200
S.208	Obstructing access to a voting centre	\$1,100
S.203	Maintenance or order at and near voting centres	\$2,200
S.209	Bribery, treating and selling of votes	\$22,000 or 3 years imprisonment or both
S.210	Interference with right to vote	\$22,000 or 3 years imprisonment or both
S.212	Multiple voting	\$22,000 or 3 years imprisonment or both
S.213	Disorderly conduct at public political meetings	\$550
S.215	Display, publish or distribute material falsely appearing to be made by Electoral Commission	\$22,000 or 2 years imprisonment
S.218	Forging or uttering electoral papers	\$22,000 or 2 years imprisonment of both

Compliance audits of disclosures and assessments of public funding claims

The NSW Electoral Commission is authorised under electoral funding legislation to conduct audits of disclosures and public funding claims. This function is central to the compliance activities of the Electoral Commission in relation to disclosures, as well as its public funding responsibilities. Political participants are required under legislation to assist the Electoral Commission with their audit by giving access to the relevant records.

Claims from the Election Campaigns Fund made by State political parties and candidates following the 2023 State election were audited to provide assurance that applicants are eligible to claim reimbursement for their electoral expenditure. Expenditure claimed is reviewed against the vouching required to be lodged with the claim to ensure that it meets the definition of electoral expenditure, it was incurred during the claimable period, and it wasn't incurred unlawfully (for example, over the expenditure cap). If satisfied that it is proper to do so, under the legislation, the Electoral Commission may disallow any items of expenditure claimed. As noted earlier in this report, registered political parties had been paid \$29,744,321.28 as at 22 September 2023 from the Election Campaigns Fund. Fifty-seven candidates at the State election have also made claims and, as at 22 September, had been paid \$1,049,048.72.

Compliance auditing of political donation and electoral expenditure disclosures is an ongoing statutory function of the Electoral Commission. For disclosures in connection with the 2023 State election, however, auditing cannot commence until after the lodgement of the annual electoral expenditure disclosures due on 22 September. Reports on the outcome of auditing activities conducted during the 2023-2024 financial year will be included in Electoral Commission's annual report for that year.

A risk-based approach is used in planning and conducting these audits and the objectives of a disclosure compliance audit are to:

- ensure that the disclosures made are supported by, and consistent with, the documentation required to accompany the declaration
- ensure the completeness of disclosures made based on the information gathered by the Electoral Commission during the election event
- ensure that the disclosures made relate to the correct period and are accurately classified
- identify potential contraventions of electoral funding or other legislation the Electoral Commission is responsible to enforce.

Audits are conducted in accordance with the Electoral Commission's Compliance Audit Policy, which is published on its website.

Enforcement of contraventions

Details on any enforcement actions arising from investigations or other compliance activities carried out in connection with the 2023 State election – such as penalty notices being issued for failing to disclose or failing to vote, recovery of unlawful political donations or prosecutions commenced – will be included in future annual reports of the Electoral Commission, as required under section 154 of the *Electoral Funding Act 2018*.

The Electoral Commission's Regulatory Priorities for the 2023-24 financial year include a focus on enforcing the pre-election disclosure obligations of State election participants. They also make publishing more data about enforcement activities concerning electoral funding a priority, which may include more information that has been previously available about election participants who fail to lodge disclosures of political donations they received in the pre-election period.

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Appendix A: NSW Electoral Commission Regulatory Priorities 2022-23



NSW Electoral Commission Regulatory priorities for 2022-23

Our purpose is to deliver trusted and independent systems, processes, oversight and engagement that support democracy in New South Wales.

As part of our provision of transparent processes and guidance to assist political participants (including candidates, parties, elected members, donors, third-party campaigners and lobbyists) to comply with their obligations we have decided to publish our regulatory priorities annually.

Our regulatory priorities show how and where we will focus our regulatory efforts for 2022-23.



Electoral material and other election-related material does not mislead electors about the electoral process



Voting in person at NSW elections is free of interference



State registered political party membership information is accurate in the lead up to the State general election in 2023



Election participants meet their political donation disclosure obligations in the 2023 State general election pre-election period



Regular recipients of enrolment information – such as registered political parties and candidates – handle this personal information securely



Third-party lobbyists comply with their Code of Conduct obligations around meeting disclosures



Electors who vote more than once are considered for enforcement action



Regulated participants in NSW elections have access to useful and timely information about their key obligations

Appendix B: NSW State register of political parties and appointed party agents

State registered political party	Appointed party agent
Animal Justice Party	Alison Ashley Waters
Australian Labor Party (NSW Branch)	Glenn Bacic
Elizabeth Farrelly Independents	Tao Li
Legalise Cannabis NSW Party	Craig Anthony Ellis
Liberal Democratic Party	Dean McCrae
National Party of Australia – NSW	Kathleen Margaret Chalmers
Orange Residents and Ratepayers Association	Denis John Mead
Pauline Hanson's One Nation	Neil John Turner
Public Education Party	Sandra Hannah Steep
Shooters, Fishers and Farmers Party (NSW) Incorporated	Grant Layland
Socialist Alliance	Neville Wayne Spencer
Sustainable Australia Party – Stop Overdevelopment / Corruption	Bradd William Morelli
The Greens NSW	Paul Anthony Dignam
The Liberal Party of Australia New South Wales Division	Peter Bryan Wheatley
The Small Business Party	Ali Sedat Dogramaci
Animal Justice Party	Alison Ashley Waters

Source: NSW Electoral Commission data at 25 March 2023.

Appendix C: Copies of information in the NSW State register of third-party campaigners and NSW State register of official agents for third-party campaigners

Third Party Campaigner	Appointed Official Agent
Advance Aus Ltd	Laura Jean Bradley
Animals Australia Federation	Shatha Hamade
Australian Education Union NSW Teachers Federation	Maxine Leeone Sharkey
Australian Hotels Association NSW	Peter Denis Wyer
Australian Municipal, Administrative, Clerical and Services Union, New South Wales and ACT (Services) Branch	Lesley Margaret Gruit
Australian Nursing and Midwifery Federation NSW Branch	Shaye Maree Candish
Australian Paramedics Association (NSW)	Laura Ann Puglisi
Australian Rail Tram and Bus Industry Union New South Wales Branch	Aaron John Izzard
Australian Recording Industry Association Limited	Lynne Maree Small
Australian Salaried Medical Officers' Federation NSW	Andrew Holland
Australian Workers Union - National Office	Marc Ashley Bernard
Automotive Food Metals Engineering Printing Kindred Union	Sanja Batar
Bob Brown Foundation Inc	Dorothee Babeck
CEPU of Australia (Plumbing Division)	Theo Samartzopoulos
CFMEU Manufacturing Division	Michael Ian Aird
CFMEU Northern Mining & NSW Energy District	Shane Russell Thompson
CFMMEU Construction & General Division, NSW Divisional Branch	Rita Georgette Stella Mallia
Climate 200 Pty Ltd	Daniel Harcombe
Electrical Trades Union of Australia NSW Branch	Samir Malkoun
Far South Coast Environment and Heritage Conservation Incorporated	Kenneth Ian Macrae Robinson
Fire Brigade Employees' Union	Leighton Robert Drury
Gender Awareness Australia	Kirralie Jane Smith
Health Services Union NSW	Adam Hall
Humane Society International Australia	Rhiannon Kaitlin Cunningham
Independent Pittwater	Michael Patrick Blake
Invasive Species Council Inc.	Andrew Spenser Cox

Third Party Campaigner	Appointed Official Agent
Local Government and Shires Association of NSW	Bruce Morcombe
Lock the Gate Alliance	Carmel Therese Flint
Mount Pritchard & District Community Club LTD	Carol Zdelar
National Roads and Motorists' Association Limited	Samuel Lachlan Giddings
Nature Conservation Council of NSW	Jacquelyn Ann Johnson
Newcastle Trades Hall Council	Leigh Shears
New South Wales Local Government Clerical Administrative Energy Airline & Utilities Union t/as United Services Union	Feng Yan Huang
No CSG in Barwon - Put the Nats Last Pty Ltd (Anyone but Nats)	Melissa Jane Tym
North East Forest Alliance	Daniel John Peterson
North Sydney's Independent Pty Ltd	Katherine Anna Mura
NSW Business Chamber Limited	David John Harding
NSW Farmers Association	Luke John Messer
NSW Minerals Council Ltd	Christina Jean Molinari
NSW Nurses and Midwives' Association	Shaye Maree Candish
NSW Wine Industry Association	Geoffrey Hugh Krieger
Pharmacy Guild Of Australia NSW Branch	Daniel Kicuroski
PJS Employment Pty Ltd	Brendan Warren Jones
Police Association of NSW	Patrick Gooley
Public Service Association of NSW	Stewart Lachlan Calder-Little
Royal New South Wales Canine Council Limited (trading as Dogs NSW)	Daniel Weizman
Shop Assistants & Warehouse Employees Federation of Australia Newcastle & Northern New South Wales	Barbara Nebart
Shop Distributive & Allied Employees Association	Bernard Joseph Smith
Sydney Alliance for Community Building Ltd	Margaret Helen Galley
The Association of Professional Engineers, Scientists And Managers Australia, NSW Branch	Gordon Michael Brock
The Australian Workers Union NSW Branch	Marc Ashley Bernard
The Juice Media Group	Daniel John Peterson
The New South Wales Greyhound Breeders Owners & Trainers Association Limited	Daniel Weizman

Third Party Campaigner	Appointed Official Agent
The Parenthood	Georgina Wendy Dent
The Registered Clubs Association of New South Wales (T/A ClubsNSW)	Brandon John Punter
Turning Point Australia Pty Ltd	Joel Thomas Jammal
Twin Towns Services Club Ltd	Rodney Pain
Unions NSW	Mark Francis Morey
United Workers Union	Jacqueline Anne Woods
Wagga RSL Club Ltd	Sally Jennifer Whitley
Wakehurst's Independent	Sarah Elizabeth Baker
Your Vote Your Voice Pty Ltd	Sarina Joan Kilham

NSW Electoral Commission data at 25 March 2023.

Appendix D: Election Campaigns Fund payments to eligible candidates at 22 September 2023

The following table shows eligible candidates who are eligible to receive payments from the Election Campaigns Fund for electoral expenditure in connection with the 2023 NSW State Election. Copies of claims and information about payments made are maintained on the Electoral Commission's website. Candidates who do not have a payment amount listed below have not yet lodged a claim or been paid at the time of publication.

Candidate name	District	Party	Maximum entitlement (by FPV)	Payment amount	Payment date
Alan Ellis	Swansea	Sustainable Australia Party - Stop Overdevelopment / Corruption	\$15,158.98		
Alex Greenwich	Sydney		\$93,316.50	\$93,316.50	10/08/2023
Andrew Anthony	Keira	Sustainable Australia Party - Stop Overdevelopment / Corruption	\$13,360.22		
Andrew Dudas	Mount Druitt	Animal Justice Party	\$15,811.38		
Angela Maguire	Hawkesbury		\$10,601.50		
Anthony Chadszinow	Winston Hills	Sustainable Australia Party - Stop Overdevelopment / Corruption	\$10,540.92		
Ash Barnham	Cessnock		\$27,386.82		
Charbel Saad	Granville		\$18,206.62	\$15,310.00	18/07/2023
Chris Brogan	East Hills		\$12,484.14		
Chris Homer	Shellharbour		\$49,656.96		
Dale McNamara	Upper Hunter		\$24,185.40		
Deborah Swinbourn	Holsworthy		\$10,130.84	\$6,722.94	22/06/2023
Debrah Novak	Clarence		\$15,997.78	\$1,346.00	13/07/2023
Donna Wilson	Macquarie Fields	Animal Justice Party	\$10,932.36		
Emma Kerin	Blacktown	Animal Justice Party	\$10,983.62		
Gareth Ward	Kiama		\$94,672.56	\$84,667.37	18/07/2023
Gaye Cameron	Miranda		\$12,637.92	\$286.00	25/05/2023
Georgia Lamb	The Entrance	Sustainable Australia Party - Stop Overdevelopment / Corruption	\$9,930.46		
Greg Keightley	Blue Mountains	Animal Justice Party	\$10,648.10		

Candidate name	District	Party	Maximum entitlement (by FPV)	Payment amount	Payment date
Greg Piper	Lake Macquarie		\$135,573.38	\$38,864.70	14/09/2023
Helen Conway	North Shore		\$49,055.82	\$49,055.82	30/05/2023
Helen Dalton	Murray		\$115,679.84	\$115,679.84	18/07/2023
Hikmat Odesh	Fairfield		\$22,792.06	\$11,066.05	15/06/2023
Jacqui Scruby	Pittwater		\$82,733.64		
James Morris	Rockdale	Sustainable Australia Party - Stop Overdevelopment / Corruption	\$14,571.82		
Janine Kitson	Davidson		\$28,332.80	\$23,639.07	10/08/2023
Jason Bendall	Myall Lakes		\$44,582.22		
Joe McGirr	Wagga Wagga		\$101,508.78	\$60,045.94	10/08/2023
Joeline Hackman	Manly		\$66,940.90	\$66,940.90	27/07/2023
Joshua Fairhall	Oxley		\$13,411.48	\$12,360.63	18/05/2023
Judy Hannan	Wollondilly		\$63,310.76	\$63,310.76	18/07/2023
Karen Freyer	Vaucluse		\$38,379.76	\$38,379.76	18/07/2023
Kate Hoang	Cabramatta		\$39,712.52	\$30,393.91	13/09/2023
Kevin Loughrey	Ballina		\$17,288.60		
Kristen Nelson	Wollongong	Animal Justice Party	\$10,937.02		
Kristyn Haywood	Wahroonga		\$22,959.82	\$7,411.81	21/09/2023
Larissa Penn	Willoughby		\$65,538.24		
Marie Rolfe	Charlestown	Sustainable Australia Party - Stop Overdevelopment / Corruption	\$12,083.38		
Mark Rodda	Tamworth		\$48,547.88	\$36,032.63	29/06/2023
Martin Ticehurst	Bathurst		\$16,072.34		
Matt Squires	Wyong		\$46,269.14		
Michael Regan	Wakehurst		\$85,883.80	\$85,883.80	29/06/2023
Milomir Andjerkovic	Liverpool		\$16,347.28		
Natalie Mort	Oatley		\$12,474.82	\$2,579.00	30/05/2023

Candidate name	District	Party	Maximum entitlement (by FPV)	Payment amount	Payment date
Nick Hughes	Miranda	Sustainable Australia Party - Stop Overdevelopment / Corruption	\$11,705.92		
Nina Digiglo	South Coast		\$15,303.44	\$6,984.30	30/05/2023
Philip Donato	Orange		\$124,957.90	\$58,642.08	18/07/2023
Randa Moussa	Cabramatta	Animal Justice Party	\$10,713.34		
Ronald McDonald	Tweed	Sustainable Australia Party - Stop Overdevelopment / Corruption	\$10,708.68		
Roy Butler	Barwon		\$91,475.80	\$52,748.93	10/08/2023
Sally Townley	Coffs Harbour		\$27,857.48	\$27,759.94	13/09/2023
Severino Lovero	Fairfield		\$15,000.54		
Susan Newbury	Wyong	Sustainable Australia Party - Stop Overdevelopment / Corruption	\$8,840.02		
Troy Stolz	Kogarah		\$10,186.76	\$10,186.76	21/09/2023
Victoria Davidson	Lane Cove		\$49,433.28	\$49,433.28	18/07/2023
Victoria Davis	Cessnock	Animal Justice Party	\$9,977.06		
Wayne Rigg	Terrigal	Sustainable Australia Party - Stop Overdevelopment / Corruption	\$11,146.72		

Source: NSW Electoral Commission data at 22 September 2023.

Glossary

Term	Definition
Applicable cap on electoral expenditure	Electoral expenditure incurred by parties, groups, candidates and third-party campaigners is capped during the capped expenditure period of a state general election. There are different caps applicable to parties, groups, candidates and third-party campaigners.
Applicable cap on political donations	Political donations made to registered political parties, unregistered parties, elected members, groups, candidates, associated entities and third-party campaigners are subject to caps. There are different caps applicable to registered political parties, unregistered parties, elected members, groups, candidates, associated entities and third-party campaigners.
Associated entity	A corporation or other entity that operates solely for the benefit of a party that is registered for State elections or a member of the NSW Parliament.
Candidate	<p>A person who is nominated in accordance with the <i>Electoral Act 2017</i> for election to political office and whose nomination has been accepted by the Electoral Commissioner. Only duly nominated candidates have their names included on a ballot paper.</p> <p>Under the <i>Electoral Funding Act 2018</i>, a candidate includes a person registered as a candidate under the <i>Electoral Funding Act 2018</i> for the purpose of accepting political donations and electoral expenditure.</p> <p>A candidate under the <i>Electoral Funding Act 2018</i> also includes an unregistered candidate who has accepted a political donation or made a payment for electoral expenditure for the election.</p>
Capped expenditure period	The period in which the electoral expenditure of parties, groups, candidates and third-party campaigners is capped. For the 2023 NSW State election, the period commenced 1 October 2022 and ends on election day.
Counting centre	A <i>ballot counting place</i> appointed by the Electoral Commissioner for the counting of ballot papers. It can be a voting centre or other venue such as an election manager office or centralised count centre.
Disclosure	The disclosure of political donations and electoral expenditure by a party, elected member, candidate, group, third-party campaigner, associated entity or major political donor to the NSW Electoral Commission.
Donor	A person or entity who makes a political donation to a party, elected member, candidate, group or other person or entity (including a third-party campaigner or associated entity). See also: Major political donor and prohibited donor.
Early voting	Electors who will not be able to vote on election day, for certain specified reasons, can vote before election day at the office of an election manager or an early voting centre.
Early voting centre	A voting centre that has been designated for early voting. Days and hours of operation of an early voting centre are determined by the Electoral Commissioner.
Election campaigns fund	The fund used by the NSW Electoral Commission to reimburse eligible parties and candidates for electoral expenditure incurred in connection with the election.
Election day	25 March 2023.

Term	Definition
Elector	A person entitled to vote at an election.
<i>Electoral Act 2017</i>	The <i>Electoral Act 2017</i> sets out how elections to the NSW Parliament are conducted.
<i>Electoral Funding Act 2018</i>	The <i>Electoral Funding Act 2018</i> sets out the rules for political donations and electoral expenditure, and for public funding of elections and registered political parties in NSW.
Electoral Commissioner	Appointed by the Governor under section 11 of the <i>Electoral Act 2017</i> . The Commissioner is responsible for the conduct of elections under the <i>Electoral Act 2017</i> including the enrolment of electors, the maintenance of the Electoral Information Register and the preparation of the authorised rolls for use in elections. The Commissioner is also an <i>ex officio</i> member of the NSW Electoral Commission.
Electoral district	For the Legislative Assembly, one of 93 geographical areas containing approximately equal numbers of electors. For the Legislative Council, the district is the whole State of New South Wales.
Electoral expenditure	Expenditure for or in connection with promoting or opposing, directly or indirectly, a party or the election of a candidate or candidates or for the purpose of influencing, directly or indirectly, the voting at an election.
Electoral material	Anything, including 'how-to-vote' card, advertisement or anything else containing electoral matter, whether in a tangible or an electronic form.
Group	Candidates that have been duly nominated for the Legislative Council election can form into groups on the ballot paper. The order of candidates within each group is determined by those candidates.
Independent	A candidate or Member of Parliament who is not seeking election as a member of a political party.
Legislative Assembly	The lower house of Parliament in NSW. It has 93 members each representing an electoral district. All 93 members are elected at a general election, every four years.
Legislative Council	The upper house of the Parliament of New South Wales consisting of 42 members elected for an eight-year term, half of whom (ie, 21) are elected at each general election every four years.
Major political donor	A person or entity (other than a party, elected member, group or candidate) who makes a reportable political donation of or exceeding \$1,000. See also: donor and prohibited donor.
Nomination	The process by which a person lodges a nomination paper to become a candidate for election. See also: registration.
NSW Electoral Commission	The independent statutory authority constituted under the <i>Electoral Act 2017</i> consisting of three members, including the Electoral Commissioner, which regulates and enforces electoral laws, including the political donation and electoral expenditure disclosure and public funding schemes under the <i>Electoral Funding Act 2018</i> . NSW Electoral Commission also refers to the staff agency, headed by the Electoral Commissioner, that assists the Electoral Commission and Electoral Commissioner to exercise their functions.

Term	Definition
Official agent	A person who is responsible for the management and disclosure of the political donations and electoral expenditure of a third-party campaigner or associated entity.
Party	A body or organisation, incorporated or unincorporated, having one of its objects or activities the promotion of the election to the NSW Parliament or a local Council of a candidate or candidates endorsed by it. A party includes a registered political party and an unregistered political party.
Party agent	A person who is responsible for the disclosure of political donations and electoral expenditure of a party. In some cases, a party agent may also be responsible for the management and disclosure of elected members, groups and candidates who are members of the party. A party includes a registered political party and an unregistered political party.
Party/candidate worker	A person who assists candidates eg by handing out how-to- vote cards. Unlike scrutineers, a party worker has no official status under the <i>Electoral Act 2017</i> .
Political donation	A gift made to or for the benefit of a party, elected member, group, candidate or other person or entity (including a third- party campaigner or associated entity).
Preferences	The numbers written by an elector in the squares next to a candidate's name on a ballot paper, or in a group voting square on the Legislative Council ballot paper.
Registered political party (RPP)	A political party registered under the <i>Electoral Act 2017</i> for the purpose of contesting State elections.
Registration	In relation to a candidate, group of candidates or third-party campaigner for the election, means being registered under the <i>Electoral Funding Act 2018</i> for the purposes of accepting political donations and making payments for electoral expenditure. See also: nomination.
Regulated election period	The period from the issue of the writs up to 6pm on election day during which time electoral material must meet the requirements of the <i>Electoral Act 2017</i> .
Scrutineer	A person appointed in writing by a candidate or registered political party to represent their interests by observing the voting and counting processes.
Third-party campaigner	A third-party campaigner is a person or entity (other than an associated entity, party, elected member, group or candidate) who incurs more than \$2,000 in electoral expenditure for a State election during the capped expenditure period for the election.
Voting centre	A place appointed by the Electoral Commissioner for the purpose of taking the poll at an election (and includes an early voting centre). Formerly known as a polling place.
Writ	The document by which the Governor of New South Wales directs the Electoral Commissioner to conduct an election.