

Regulatory priorities 2024-25

Introduction

The regulatory priorities for the period 1 July 2024 to 30 June 2025 are published in accordance with the regulatory priorities procedures. This is the NSW Electoral Commission's third annual regulatory priorities.

Purpose

The regulatory priorities set out the NSW Electoral Commission's strategic regulatory focus for 2024-25 and are informed by a risk assessment of legislated regulatory functions and anticipated events.

The regulatory priorities support the NSW Electoral Commission to optimise the efficiency and value of its regulatory effort and ensure responses to non-compliance are targeted and proportionate.

The priorities are grouped by theme for clarity and for operational purposes.

Scope

Staff of the Electoral Commission must be familiar with the regulatory priorities.

Staff must consider the regulatory priorities when undertaking operational planning and when exercising functions around stakeholder education, audits, inspections, investigations and enforcement actions, and commencement of litigation.

The NSW Electoral Commission and NSW Electoral Commissioner's regulatory powers are exercised in accordance with our governing legislation and published policies and procedures.

Regulatory priorities for 2024-25



Education to support compliance by political participants

1. Deliver focused education initiatives for election participants and provide relevant and timely information to support their compliance

Support compliance by political participants in the 2024 Local Government elections (candidates, groups, political parties, third-party campaigners, donors and scrutineers) and any state and local government by-elections during the period, through initiatives that raise awareness about the regulatory obligations that apply to elections in New South Wales.

2. Support privacy by educating authorised recipients of enrolment information about managing personal data securely

Support privacy protection of enrolment details by:

- raising awareness about proper handling of enrolment information provided under statute to political parties and candidates, including expectations for destroying or returning information after an election
- updating provision and destruction arrangements with other authorised users of enrolment information.



Greater transparency to maintain integrity, trust and confidence

3. Improve the transparency of our enforcement activities to raise awareness among political participants about their obligations and to reduce future non-compliance

Publish information about levels of compliance with disclosure obligations and enforcement actions taken in response to failure to lodge a disclosure by the due date for political participants at the 2024 Local Government elections.



Delivering safe, free and fair elections

4. Uphold the integrity of elections by responding in a timely manner to material that may mislead the community about electoral processes in New South Wales

Support the integrity of elections by:

- researching the use and regulation of artificial intelligence (AI) in the creation and dissemination of mis/disinformation in elections
- maintaining the disinformation register on the Electoral Commission's website and continuing to correct misleading or inaccurate information about the electoral process and the regulation of elections
- ensuring the clear attribution of electoral material published online, where election law requires it
- taking steps to ensure that electoral material (including postal vote applications distributed by political participants) does not mislead voters by suggesting it is official communication from the Electoral Commission
- engaging with other regulators to develop and embed protocols for responding to unlawful material or content that is mis/disinformation about an election.

5. Support voting in person at elections in New South Wales to be safe and free of interference, including for election officials working at polling places

Support voting in person to be safe and without interference by:

- expanding training and education for staff and voters to include interference and safety challenges at voting centres
- embedding a clear escalation path for responding to interference and safety challenges at voting centres, including through engaging directly with NSW Police
- recording incidents to support future risk-management strategies.