Technology Assisted Voting

Approved procedures for NSW state and local government elections

Definitions and abbreviations

Term	Definition
Approved procedures	The procedures approved by the Electoral Commissioner under section 155 of the Electoral Act and section 333F of the Local Government Regulations.
Area	A local government area, including reference to a ward in that area as applicable. A reference to a district in the approved procedures includes reference to an area.
Ballot counting place	A place appointed by the Electoral Commissioner for the counting of ballot papers.
District	A district for the election of a member to serve in the Legislative Assembly. For the purpose of a local government election, a reference to a district in the approved procedures includes reference to an area.
Election Manager	A person appointed by the Electoral Commissioner under the Electoral Act for an election in a district. For the purpose of a local government election, a reference to an election manager in the approved procedures includes reference to a returning officer.
Electoral Act	*Electoral Act 2017* (NSW).
Electoral Regulations	*Electoral Regulation 2018* (NSW)
Electoral Commissioner	The Electoral Commissioner for NSW appointed under the Electoral Act.
Eligible elector	An elector who meets the eligibility requirements for technology assisted voting under section 152 of the Electoral Act for a state election or section 333C of the Local Government Regulations for a local government election.
Local government election	An election or by-election as defined by the *Local Government Act 1993* (NSW) that is administered by the Electoral Commissioner, other than a countback election.
Local Government Regulations	*Local Government (General) Regulation 2021* (NSW).
NSW Electoral Commission	The NSW Electoral Commission Staff Agency established under the *Government Sector Employment Act 2013*.
PIN	A 4-digit Personal Identification Number, as chosen by an eligible elector when applying to use technology assisted voting.
Registration number	A unique eight-digit number for each elector whose application to use technology assisted voting has been accepted.

	The registration number may be referred to as an application number.
Returning Officer	A person appointed by the Electoral Commissioner under the *Local Government Act 1993* (NSW) to conduct elections on behalf of, and under the direction of, the Electoral Commissioner for an election in an area. A reference to an election manager in the approved procedures includes reference to a returning officer.
State election	An election or by-election as defined by the Electoral Act.

Introduction

The Electoral Act and the Local Government Regulations provide for voting by eligible electors at state and local government elections by means of technology assisted voting.

The Electoral Commissioner may approve procedures in relation to technology assisted voting.[1] The approved procedures must be consistent with a number of specified characteristics, which are:

- they must provide for elector registration

- they must provide for a record of electors who have voted using the system

- they must provide for authentication of votes

- they must provide for the secrecy of votes

- they must provide for secure transmission and storage of votes

- they must provide for the creation of an image file of a ballot paper for each vote cast if required for the purposes of the scrutiny

- for local government elections, they must provide for the way information about the votes is communicated to the Election Manager.

This document contains the procedures approved by the Electoral Commissioner for the use of technology assisted voting at any election until new procedures are approved.

These procedures must be published on the NSW Electoral Commission's website.

Technology assisted voting is available to electors who:

1. meet the eligibility requirements;[2]

2. appear on the authorised roll of electors prepared in relation to the election; and

3. apply to use technology assisted voting.[3]

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[1] Electoral Act, s 155; Local Government Regulations, s 333F.
[2] Electoral Act, s 152; Local Government Regulations, s 333C.
[3] Electoral Act, s 153; Local Government Regulations, s 333D.

Other documents relevant to the procedures

Additional eligibility requirements

The Electoral Commissioner is authorised to impose additional eligibility requirements for technology assisted voting by way of order published on the NSW legislation website.[4] This includes during an election period.

At the time of publication of these procedures, there were no such orders in force.

Limitations on eligibility for and use of technology assisted voting

For state elections, the Electoral Regulations may limit the classes of electors who may be eligible for technology assisted voting and may provide that technology assisted voting is not to be used at a specified election.[5] Under the Electoral Regulations, technology assisted voting, other than telephone voting by electors who are blind or have low vision, must not be used at a state by-election before the 2027 general election.[6]

Under the Local Government Regulations, technology assisted voting, other than telephone voting by electors who are blind or have low vision, must not be used at a local government election before 1 September 2028.[7]

Other procedures for technology assisted voting

For state elections, the Electoral Regulations may also make provision for or with respect to: [8]

a. the technology assisted voting method that may be authorised under the approved procedures;

b. the period during which voting by eligible electors using technology assisted voting is permitted (including a period before polling day);

c. the appointment by the Electoral Commissioner of officers to facilitate voting by means of technology assisted voting;

d. the independent auditing of the secrecy and authenticity of voting by means of technology assisted voting at any election;

e. the provision of registered how-to-vote cards[9] in an electronic form to eligible electors voting at an election by means of technology assisted voting.

At the time of publication of these procedures, there were no such regulations in force.

Determination not to use technology assisted voting at an election

The Electoral Commissioner is authorised to determine that technology assisted voting is not to be used at a specified election.[10]

At the time of publication of these procedures, there were no such determinations in force.

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[4] Electoral Act, s 152(2); Local Government Regulations, s 333C(2).
[5] Electoral Act, ss 152(3), 161(3).
[6] Electoral Regulations, cl 9.
[7] Local Government Regulations, s 333M.
[8] Electoral Act, s 161.
[9] Being how-to-vote cards that are registered as electoral material under Subdivision 6 of Division 14 of the Electoral Act.
[10] Electoral Act, s 162, Local Government Regulations, ss 333L, 333M(1A).

Publication of related documents

In the event any orders or determinations are made that impact upon these procedures after they are published, a link to those documents will be made available on the NSW Electoral Commission's website.

Approved procedures for technology assisted voting

1. Applying to use technology assisted voting

1. The application period, including the days and hours that an application may be made during that period, for technology assisted voting at an election will be published on the NSW Electoral Commission's website. A person must apply to use technology assisted voting by telephoning the NSW Electoral Commission.

2. At the time of applying the applicant must make a declaration that all the information they will provide is true and complete. An applicant must answer "Yes" to the following question that is read to the applicant by an election official:

   Do you declare that all the information you will provide is true and complete and that you understand giving false or misleading information is a serious offence?

3. At the time of applying the applicant must make a declaration that they are eligible to use technology assisted voting. An applicant must answer "Yes" to the following question that is read to the applicant by an election official:

   Do you declare that you are blind or have low vision?

4. At the time of applying the applicant must provide:

   a. details that identify them as being enrolled for the district, i.e., their name, date of birth and address;

   Note: A silent elector may identify themselves on the authorised roll of electors by providing details about their enrolment without disclosing their address.

   b. a PIN that will be required to vote.

5. The applicant will be advised if the details they have provided can be matched with an elector on the authorised roll of electors for the relevant election. The applicant must make a declaration that they are that elector and are eligible to use technology assisted voting. An applicant must answer "Yes" to the following question that is read to the applicant by an election official:

   Do you declare that you are the person identified?

6. At the time of applying the applicant must make a declaration that they have not already voted at the relevant election. An applicant must answer "No" to the following question that is read to them by an election official:

   Confirming that you are voting in [DISTRICT]. Do you declare that you have not voted before in this election?

7. The election official receiving the application will also confirm whether the applicant is recorded on the authorised roll for the election as having already voted. The application will not be accepted if the elector is recorded as having already voted at the election.

2. Registration of eligible electors

1. Eligible electors whose applications are accepted will be registered by the NSW Electoral Commission to vote using technology assisted voting.

2. A registered elector will receive a randomly generated registration number from an election official and provide their own PIN that will be recorded by the official.

3. The registration number will be sent to the registered elector by SMS or email. A registered elector may also choose to receive the registration number verbally from the election official.

4. After the elector is registered, the election official will transfer the elector to another election official to complete their vote or provide the elector with information about how to make a subsequent telephone call to the NSW Electoral Commission Call Centre to complete their vote.

5. Electors who forget their registration number or PIN can obtain a new registration number or reset their PIN by telephoning the NSW Electoral Commission Call Centre.

6. The application instructions for technology assisted voting are at the **Appendix**.

3. Voting method

1. An elector may only use technology assisted voting to vote by calling the NSW Electoral Commission Voting Call Centre.

2. An election official (other than the official who answered the telephone call during which the elector was registered) will answer the call and request that the elector state the registration number received from the NSW Electoral Commission and the PIN the elector provided during their application.

3. If the elector provides a valid registration number and PIN, the election official will record the preferences of the elector on a ballot paper on the elector's instruction in accordance with these procedures. The elector will confirm their preferences prior to the end of the telephone call, after which the ballot paper will be placed in a ballot box by the election official who completed the ballot paper (see 4. Voting instructions and 6. Recording, transmission and storage of votes).

4. Technology assisted voting will limit the elector to voting in the following ways:

   a. Preferences may only be recorded as numeric values in a sequential order on the ballot paper starting from the number 1.

   b. The elector will receive an explicit warning when they have recorded fewer than the minimum number of preferences required. The warning will advise them that:

      a) their vote is not complete and the relevant ballot will be informal;

      b) they have an opportunity to complete the ballot paper;

      c) if they proceed to submit the incomplete ballot paper, it will be an informal ballot paper.

5. The election official completing the ballot paper will be monitored by another election official (see 7. Authentication of votes).

4. Voting instructions

1. The voting instructions for technology assisted voting are at the **Appendix**.

5. Voting period

1. The voting period, including the days and hours that voting may occur during that period, for eligible electors whose applications have been accepted will be published on the NSW Electoral Commission website.

2. Any elector connected to the NSW Electoral Commission Call Centre at the close of voting may remain connected to complete their vote.

6. Recording, transmission and storage of votes

1. Eligible electors whose applications for registration are successful will be recorded on the authorised copy of the roll as having voted by means of technology assisted voting.

2. A record will be made of each registration number stated by an elector before voting. Those records will be kept separately from records of applications for registration (see 7. Authentication of votes and 8. Secrecy of votes).

3. Prior to the start of voting, a ballot box will be sealed with a numbered, tamper-evident seal. There will be a separate ballot box for each district. The election official who completes an elector's ballot paper will, at the end of the relevant telephone call, place the ballot paper in the ballot box.

4. Every ballot paper allocated to technology assisted voting for a district will be accounted for at the end of voting each day. An election official will make a record of the number of used, unused and spoilt ballot papers. After the record is made, an election official will:

    a. place the spoiled ballot papers into a sealed envelope

    b. place that envelope and the unused ballot papers into a storage carton

    c. place that carton and the ballot box containing used ballot papers in secure storage.

7. Authentication of votes

1. Each telephone call during which an election official completes a ballot paper on the elector's instruction is monitored by another election official. That other election official will ensure that:

    a. The registration number stated by the elector was recorded correctly

    b. The PIN stated by the elector is recorded correctly and is correct for the registration number

    c. The correct ballot paper for the elector was selected

    d. The elector's preferences were correctly recorded on the ballot paper

    e. The elector's preferences were repeated to the elector for confirmation

    f. They repeat the elector's preferences in addition to the election official completing the ballot paper, if requested to by the elector

    g. The ballot paper was initialled

    h. The ballot paper was placed in the ballot box.

8. Secrecy of votes

1. The election official who answered the telephone call during which an elector was registered will not be the same official who completes a ballot paper on the elector's instruction and behalf.

2. An elector is not required to provide their name when voting and is only required to provide their registration number and PIN. If an elector states their name when voting, the election official will transfer the telephone call to another official to begin the voting again.

3. The election official who completes a ballot paper on an elector's instruction does not have access to any information to link the elector's registration number to the elector's identity.

    a. Election officials are allocated roles as either an 'Application Operator' or a 'Voting Operator.'

    b. The teams of operators are managed and supervised separately. Each team's access to information is different and controlled by the system credentials issued to each operator to ensure there is no crossover of information (including elector identity information) between the team handling voter applications and the team recording votes cast.

    c. The Application Operators and Voting Operators are to be physically separated, with sufficient distance to ensure calls cannot be overheard. Nothing will be written, and no mark will be made, on a ballot paper that will enable any person to identify the elector.

9. Including votes in the count

1. The ballot papers used for technology assisted voting under these procedures are capable of being viewed and will be used for the purposes of the scrutiny.

2. As soon as practicable after the end of the voting period, at a ballot counting place, an election official is to open the ballot box and conduct an initial scrutiny and count of the ballot papers. The preferences recorded on all of the ballot papers will then be entered by election officials into the NSW Electoral Commission computer count system. The computer count system confirms ballot paper formality and determines the result of the count.

3. The Election Manager obtains the information about the votes recorded on the ballot papers from the computer count system to ascertain the result of the count.

10. Scrutineers

1. The Electoral Commissioner will provide to candidates and registered political parties a timetable of the events that scrutineers can attend to observe, including:

   a. Prior to the start of voting, the process of sealing the ballot box;

   b. During voting, the process by which election officials record the preferences of an eligible elector on a ballot paper before placing the ballot paper in a ballot box in accordance with the approved procedures. For clarity, this means being present to observe the actions carried out by election officials but does not extend to monitoring the voting telephone line;

   c. After the close of voting, the process of unsealing the ballot box and transmission of the ballot papers for scrutiny and counting.

2. Scrutineers may also observe the production of printed ballot-papers and bundling and sealing of those ballot-papers in accordance with the approved procedures.[11]

3. Scrutineers must be appointed by a candidate or a registered political party as provided for by the Electoral Act or Local Government Regulations, as applicable.

11. Independent auditing

1. The Electoral Commissioner must appoint an independent auditor to conduct audits of the information technology used under the approved procedures.[12]

2. The independent auditor will determine whether test votes cast in accordance with the approved procedures are accurately reflected in the corresponding test ballot papers.

3. The NSW Electoral Commission will provide access to all procedures and requests by the independent auditor.

4. The audit plan and the controls to be tested will be published on the NSW Electoral Commission website.

5. The independent auditor is to report to the Electoral Commissioner at least seven days before voting commences in each state general election or ordinary local government election at which technology assisted voting is to be available. The independent auditor is to report within 60 days of the return of the writs of a state election or the declaration of the results of a local government election.

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[11] Electoral Act, s 158; Local Government Regulations, s 333I.
[12] Electoral Act, s 156; Local Government Regulations, s 333G.

12. Independent monitoring

1. The Electoral Commissioner may appoint one or more independent persons to monitor and observe the technology assisted voting process at an election, including the counting of votes cast by means of technology assisted voting and the general operation of the technology assisted voting process.[13]

13. Additional integrity measures required for individuals involved with technology assisted voting

1. Any person handling ballot papers is to be appointed as an election official under the Electoral Act or Local Government Regulations, as applicable.

2. Any person appointed as an election official who is exercising functions in relation to technology assisted voting must sign an acknowledgement of their obligations as to secrecy related to technology assisted voting.

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[13] Electoral Act, s 157; Local Government Regulations, s 333H.

Document control

Approved by:	Signature:	Date approved:
Matthew Phillips A/Electoral Commissioner for NSW	[Approved electronically]	30 August 2024

Revision record

Date	Version	Revision description
12.02.2015	1.0	Updated for 2015 State election
17.10.2016	2.0	Updated for November 2016 State by-elections
17.03.2017	2.1	Minor update for April 2017 State by-elections
05.02.2019	3.0	Updated for 2019 State election
07.02.2019	3.1	Minor changes showing the required corrections on pages 8 and 9
10.05.2021	3.2	Minor update for May 2021 State by-election
02.11.2021	4.0	Updated to include local government elections
04.02.2022	5.0	Updated for period of telephone voting for vision impaired or blind electors only
22.07.2022	5.1	Minor update for July 2022 local government by-elections
12.10.2022	5.2	Updated for City of Ryde (West Ward) by-election
06.03.2023	5.3	Updated for 2023 NSW State election
14.06.2024	5.4	Updated for June 2024 State by-election
30.08.2024	5.5	Updated for 2024 Local Government elections, state by-elections until the general election in 2027, and local government by-elections until the ordinary elections in 2028.

Appendix

1. Application instructions – all elections

The following words will be spoken when applying for Telephone Assisted Voting.

Accept Incoming Call
Welcome to Telephone Assisted Voting, my name is [FIRST NAME] how can I help you today?
Before we begin, only electors who, are blind or have low vision can use telephone assisted voting. You will be required to provide information for us to confirm your identity. Do you declare that all the information you will provide is true and complete and that you understand giving false or misleading information is a serious offence?
Do you declare you are blind or have low vision*?*
I will check your details on the electoral roll and issue an application number, then you will nominate a 4-digit PIN to use for voting.   Are you ready to start the application?

Verify Elector details
Can you spell out your Surname?
Can you spell out your given name?
And your date of birth?
Can you please confirm your enrolled address?
Thank you, that matches the electoral roll for [ELECTOR NAME]   To proceed with this application, we need you to declare that you are this person.   Do you declare that you are the person identified?
Confirming that you are voting in [DISTRICT].   Do you declare that you have not voted before in [ELECTION]?

PIN

One moment while I begin your application.

The next step is to set a 4-digit PIN. Can you please provide 4 numbers to use as your PIN?

Thank you, can you repeat your PIN? [ELECTOR REPEATS PIN]

That is [PIN]

Make a note of your PIN, you will need this when voting.

Please provide a mobile number or email address as we may need to contact you with information about the election, issues with your application, or to seek feedback about your voting experience.

Roll Mark Off

I'm now going to mark you off the electoral roll.

Application Number (provided verbally)

Are you ready for me to read out your application number?

Please make note of this number as you will need to provide it when voting.

Your application number is [APPLICATION NUMBER]

Can you please repeat the number back to me?

You may also receive an email or SMS that contains your application number. We have now completed your application.

You can go to the NSW Electoral Commission website if you would like information about your candidates and how to vote.

If you are ready, I can transfer you to cast your vote.

To keep your vote secret, do not say your name.

Instead, only provide your application number and PIN.

Transferring now.

You can call back on this number and select Option 3 to cast your vote. Make sure to call back before 1pm this Saturday the [DATE OF ELECTION DAY] to vote.

You will need to have your application number and PIN to submit your vote.

Application Number (email and SMS information)

Note: The application number is sent via SMS or email address if details provided by elector. The following words will be spoken if the elector states they will be using email or SMS rather than taking note of the number when provided verbally.

Please allow at least 15 minutes for your application number to be received. Then you can call back to cast your vote. You will need both your application number and PIN.

Note: for email only

If you do not receive the email, please check your junk folder.

You can call back on this number and select Option 3 to cast your vote. Make sure to call back before 1pm this Saturday the [DATE OF ELECTION DAY] to vote.

You will need to have your application number and PIN to submit your vote.

2. Voting instructions – Elector details – all elections

Application number and PIN confirmation

The following words will be spoken to confirm an elector's application number and PIN.

Confirm Elector Details
You have reached the Telephone Assisted Voting Call Centre. To keep your vote secret, please do not tell me your name. If at any point the call is dropped, you will need to call back and restart the voting process. This is to ensure the secrecy of your vote.
Can you please tell me your 8-digit Telephone Voting Application number? Confirming that is [APPLICATION NUMBER].
Thank you. Could you please tell me your 4-digit PIN? Confirming that is [PIN]
Confirming that you will be voting in the electoral area of [DISTRICT NAME] This is a [STATE or LOCAL] Government election, and you will be asked to enter your choices for [NUMBER OF BALLOT PAPERS] ballot paper/s. I will guide you through the processes step-by-step.   A second operator will read your preferences back to you to ensure I have taken your vote correctly.
Is this your first time voting in the [ELECTION]?
Please give me a moment while I get your ballot papers.

3. Voting instructions – Legislative Assembly, Local Government Mayor and Councillor with no groups

The following words will be spoken for the ballot paper instructions for a ballot paper with no groups, including Legislative Assembly ballot papers for state general elections and state by-elections, and local government elections for Mayor and Councillor with no groups of candidates.

Legislative Assembly, Mayor and Councillor with no groups
I now have the [NAME OF BALLOT PAPER] ballot paper in front of me and I am initialling the ballot paper.
I will read out the candidates and their affiliation from top to bottom as they appear on the ballot paper. I will then mark your choices. You must choose at least [MINIMUM NUMBER] candidates for your vote to be counted, and you may make as many choices as there are candidates.
The candidates are:
Which candidate is your first choice?
Do you wish to make another choice?
[IF YES] Which candidate is your next choice?
[IF NO] Operator 2: I am the second operator and I will read your preferences back to you. Please let me know if something is not as you intended and I can change it.
I am now folding the ballot paper and putting it to one side.

4. Voting instructions – Local Government Councillor with groups (no group voting squares)

The following words will be spoken for the ballot paper instructions for a local government election for Councillor with groups of candidates but no group voting squares.

<table>
<tr><td align="center">**Councillor with groups (no group voting squares)**</td></tr>
<tr><td>I now have the [NAME OF BALLOT PAPER] ballot paper in front of me and I am initialling the ballot paper.</td></tr>
<tr><td>I will read out the candidates and their affiliation from top to bottom as they appear on the ballot paper. If candidates are in a group, I will read out the group letter, i.e. Group A then candidates, Group B then the candidates, and so on.

I will then mark your choices.

You must choose at least [MINIMUM NUMBER] candidates for your vote to be counted, and you may make as many choices as there are candidates.</td></tr>
<tr><td>The candidates are:</td></tr>
<tr><td>Which candidate is your first choice?</td></tr>
<tr><td>Do you wish to make another choice?</td></tr>
<tr><td>[IF YES] Which candidate is your next choice?</td></tr>
<tr><td>[IF NO] Operator 2: I am the second operator and I will read your preferences back to you.

Please let me know if something is not as you intended and I can change it.</td></tr>
<tr><td>I am now folding the ballot paper and putting it to one side.</td></tr>
</table>

5. Voting instructions – Legislative Council, Local Government Councillor with group voting squares

The following words will be spoken for the ballot paper instructions for a ballot paper with groups and group voting squares, including the Legislative Council ballot paper and local government Councillor ballot papers.

Ballot paper Instructions
I now have the [NAME OF BALLOT PAPER] ballot paper in front of me and I am initialling the ballot paper.
You can choose to vote either 'above the line' or 'below the line'. If voting 'above the line', you are voting for a group of candidates. There are [NUMBER OF GROUPS] groups on the ballot paper with a group voting square, which I will read out to you. You must choose one group for your vote to be counted. You can make more choices if you want, starting with the number two. If voting 'below the line', you are voting for individual candidates. [Legislative Council ballot paper only] There are [NUMBER OF CANDIDATES] candidates. If voting 'below the line', I will read out the candidates and their affiliation from top to bottom and from left to right as they appear on the ballot paper. You must choose at least [MINIMUM NUMBER] candidates for your vote to be counted. Would you like to vote 'above the line' or 'below the line'?

ABOVE THE LINE
I will read out the Groups from left to right as they appear on the ballot paper. Then, I will mark your choice or choices. You must choose one Group for your vote to be counted and you may make as many choices as there are Groups.
The Groups are:
Which Group is your first choice?
Do you wish to make another choice?
[IF YES] Which group is your next choice?
[IF NO] Operator 2: I am the second operator and I will read your preferences back to you. Please let me know if something is not as you intended and I can change it.

I am now folding the ballot paper and putting it to one side

BELOW THE LINE

I will read out each candidate's name, their Group and Affiliation from left to right as they appear on the ballot paper.

Then, I will mark your choices.

You must choose a minimum of [MINIMUM NUMBER] candidates for your vote to be counted and you may make as many choices as there are candidates.

I will now read through the ballot paper. You can interrupt if you wish to record a preference as we go. The candidates and their affiliations are:

Who is your first choice?

Do you wish to make another choice?

[IF YES] Which candidate is your next choice?

[IF NO] Operator 2: I am the second operator and I will read your preferences back to you.

Please let me know if something is not as you intended and I can change it.

I am now folding the ballot paper and putting it to one side.

6. Voting instructions – Local Government Constitutional Referendum, Council Poll

The following words will be spoken for the ballot paper instructions for referendum and poll ballot papers at local government elections.

Referendum Ballot Paper
I now have the [REFERENDUM / POLL] ballot paper in front of me and I am initialling the ballot paper.
This ballot paper requires a yes or no answer. I will read the question to you: [QUESTION] Is your response to this question, 'Yes' or 'No'.
Operator 2: I am the second operator and I will read your answer back to you.
I am now folding the ballot paper and putting it to one side.

7. Voting Instructions – Submit vote - all elections

Submit Vote
Are you happy for your vote(s) to be put in the ballot box?
I will place it/them in the ballot box. I am now at the [BALLOT PAPER TYPE] Ballot Box, and I am placing your ballot paper in it.
We have completed the voting process.