



Victorian Electoral Commission
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Mr G J Ward, Chair
Joint Standing Committee on Electoral Matters
Parliament House
Macquarie Street
Sydney NSW 2000

(Attn. Jason Arditi, Inquiry Manager)

Dear Mr Ward

Thank you for the invitation for the Victorian Electoral Commission (VEC) to appear before the Joint Standing Committee on Electoral Matters (**the Committee**) on Friday, 28 February 2014. I hope that the VEC's comments about local government elections in Victoria were helpful to the Committee's inquiry following the 2012 local government elections in New South Wales.

I refer to the three matters that were placed on notice during our discussion:

- Background to the introduction of universal postal voting to the *Local Government Act 1989* (Vic.) as an option for Victorian local government elections.
- The cost of the VEC's roll maintenance program in administering the register of electors separately to the Australian Electoral Commission.
- Requirements for the VEC to pay payroll tax in relation to employees.

I will address each of these matters in turn.

Introduction of postal voting to local government elections in Victoria

My office has reviewed Hansard from the Victorian Legislative Assembly in relation to the second reading of the *Local Government (Amendment) Bill 1994*, which included clause 7 to insert a new section 41A into the *Local Government Act 1989* as follows:

7. Insertion of section 41A

After section 41 of the *Local Government Act 1989* insert—

'41A. Election by postal voting

- (1) A Council may decide that all voting at an election is to be by means of postal voting.

- (2) If the Council makes such a decision, the returning officer must—
- (a) state in the public notice of the election that all voting at the election is to be by postal voting; and
 - (b) send or deliver to each voter on the voters' roll who is entitled to vote at the election—
 - (i) a postal vote certificate or declaration;
 - (ii) a ballot paper for postal voting;
 - (iii) a prepaid envelope for the return of the certificate and ballot paper;
 - (iv) instructions on how to vote;
 - (v) notice of how and when the ballot paper must be returned by;
 - (vi) any document prescribed for the purposes of this paragraph;
 - (vii) any other material that the returning officer thinks is appropriate.
- (3) If an election is conducted under this section, a reference in this Act to “election day” or “polling day” or a specific day on which an election is to be held is to be read as a reference to the day fixed by the returning officer as the last day on which postal ballots may be validly received by him or her.
- (4) Subject to this section, the election is to be conducted in accordance with the regulations and the provisions of Schedules 2 and 3 that are not inconsistent with the regulations.¹

Introducing the bill at its second reading, the Hon. R. R. C. Maclellan MP, Minister for Planning, spoke to this section as follows:

Postal voting is currently available to persons who know in advance that they are unable to vote in person on election day. In Victoria, however, a council is not able to determine that all voting in an election is to be by post. The amendments in clause 6 give a council that option.

Postal voting is available for other types of elections and recently proved most successful in the Tasmanian municipal elections. The advantages are numerous - it is an accessible, straightforward means of voting which should increase voter participation and deliver savings to the ratepayers.²

I note that the affected section of the substantive act (section 41A) has been subject to further amendments since its insertion in 1994.

Cost of administering the Victorian register of electors

The cost of the VEC's electoral enrolment activities during the 2012-13 financial year includes:

- \$2,125,955.28 paid to the Australian Electoral Commission under the contract that establishes data sharing arrangements between the two commissions; and

¹ Section 7 of the *Local Government (Amendment) Act 1994* (Vic.), No 99/1994.

² Victorian Parliamentary Debates, Legislative Assembly, vol. 419, 6 October 1994, p 640.

- \$1,664,464.37 paid for the VEC's own roll maintenance activities (i.e. excludes activities that were provided by the Australian Electoral Commission).

The combination of these activity costs represents \$1.03 per elector as at 30 June 2013.

Particular to local government elections, the VEC's costs for managing municipal voters' rolls (separately to the Victorian register of electors) during the 2012-13 financial year was \$223,763.00. This cost was passed on to local government clients as part of invoicing councils for local government electoral services.

The VEC's payroll tax obligations

I can confirm that the VEC pays payroll tax for all of its ongoing, contract and casual employees. The cost is applied in the VEC's marginal cost recovery model used for local government elections through an on-cost percentage that combines payroll tax, the VEC's employer superannuation guarantee and work injury insurance in addition to salary and wages. In Victoria, payroll tax is currently 4.90 percent.

I hope that this has addressed the three outstanding matters following our discussions. If you need any further information, please contact me on [REDACTED]

I wish the Committee the best for the next steps in its inquiry and look forward to viewing its findings once they are published.

Yours sincerely

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[REDACTED]
Warwick Gately AM
Electoral Commissioner

