

Electoral (Fees) Determination 2004

Disallowable instrument DI2004—159

made under the

Electoral Act 1992

EXPLANATORY STATEMENT

General Explanatory Notes

A. Overview of increases in fees and charges

The ACT Electoral Commission is empowered to determine fees for the purposes of the *Electoral Act 1992* under section 8. The fees in this determination have been increased to take account of increased costs particularly salary and CPI increases. Revenue received by the Electoral Commission is dependent on client demand for services, and fluctuates from year to year.

B. Electoral Officer Services – salary component

Paragraph 7(1)(g) of the Electoral Act empowers the Electoral Commission to provide services to persons or organisations for a determined fee. The provision of services includes assisting bodies such as universities and government agencies to conduct elections. The Commission is empowered to determine fees for these services under section 8 of the Electoral Act.

This instrument determines hourly fees for services provided by 4 categories of electoral officers:

- Electoral Officer (equivalent to Administrative Service Officer Class 5 employed under the *Public Sector Management Act 1994*)
- Senior Electoral Officer (equivalent to Senior Officer Grade C employed under the Public Sector Management Act)
- Electoral Casual Officer (equivalent to a casual officer employed under the Electoral Act)
- Senior Electoral Casual Officer (equivalent to a casual officer in charge employed under the Electoral Act)

The fees include different hourly rates for the above 4 categories of officers depending on the time of the provision of services, reflecting the various applicable standard and overtime rates applying to officers employed to assist the Electoral Commissioner under the Public Sector Management Act and the Electoral Act.

The hourly fees incorporate overhead costs and salary costs.

C. Electoral Officer Services – disbursements

The instrument also determines a fee for goods purchased by the Electoral Commission for the purposes of providing goods to persons or organisations under paragraph 7(1)(g) of the Electoral Act. This fee simply allows the Commission to be reimbursed for any costs incurred by the Commission in providing goods such as printing ballot papers for an election. These costs could include postage and mailing house costs, for example.

D. Provision of copies of documents

This instrument sets fees for obtaining copies of the following categories of documents.

Section 243 of the Electoral Act provides that copies of financial disclosure returns submitted to the Electoral Commission under Part IV of the Electoral Act are to be made available for public inspection and purchase.

SCHEDULE - FEES AND CHARGES TO BE PAID

Subsection 243(3) of the Electoral Act provides that a person is entitled, on payment of a determined fee, to obtain a copy of a return referred to in subsection 243(1). These returns include returns showing disclosure of donations, returns showing disclosure of electoral expenditure and annual returns submitted by registered political parties, MLAs, associated entities and donors.

Subsection 61(2) of the Electoral Act provides that the Electoral Commissioner may supply printed copies of roll extracts for an electorate to a person on payment of a determined fee, where the Commissioner is satisfied that the person requires the extract for an approved purpose.

Sections 88 and 91 of the Electoral Act provides that various documents related to registration of political parties are required to be made available for public inspection. From time to time members of the public have asked for copies of these documents. To cover the costs of providing such copies, this instrument provides that the Electoral Commission may provide persons with copies of these documents for the determined fee.

Section 333 of the Electoral Act states that voting statistics shall be published and that a person may obtain copies of the statistics in paper or electronic form for a fee.

E. Commencement

The determination comes into effect from 16 July 2004. Earlier determinations of those fees have been revoked.

F. GST

Fees and charges imposed in this instrument are not exempted from GST. The determined fees are GST inclusive.

Graham Glenn
Chairperson

Phillip Green
Electoral Commissioner

Christabel Young
Member