

# Electoral (Fees) Determination 2022 (No 2)

## Disallowable instrument DI2022—232

made under the

***Electoral Act 1992, s340B (Determination of fees)***

## EXPLANATORY STATEMENT

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### Overview

The ACT Electoral Commission is empowered to determine fees for the purposes of the *Electoral Act 1992* under section 340B.

Revenue received by the Electoral Commission is a function of client demand for services and fluctuates from year to year.

The updated fees for 2022/2023 financial year are determined by increasing the 2021/2022 fees, determined by DI2021-88, by the Wage Price Index (WPI) of 3.25%, rounded down to the nearest \$0.05.

This determination of fees revokes and replaces the determination of electoral fees made under DI2022-71.

### 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 340B 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 and reflect 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.

### Electoral goods and services

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 also include postage and mailing house costs, for example.

In addition, this instrument determines a fee for the provision of electronic voting services to organisations under paragraph 7(1)(g) of the Electoral Act. This fee allows for the development and maintenance cost of electronic voting services software incurred by the Electoral Commission to be passed on to purchasers of services.

## **Provision of copies of documents**

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

Subsection 243(4) 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.

Sections 88 and 91 of the Electoral Act provide 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 electronic form for a fee.

## **Commencement**

The determination comes into effect on 1 November 2022. Earlier determinations of these fees are revoked by this determination.

## **GST**

Some of the fees set out in this determination are not exempt from GST, while others are exempt. The Schedule indicates which fees are GST inclusive and which are not.