



DETERMINATION UNDER THE *ELECTORAL ACT 2002*

DETERMINATION No 4 of 2018

VERIFYING THE IDENTITY OF AN ELECTOR APPLYING TO THE COMMISSION BY ELECTRONIC MEANS TO VOTE BY POST

I, Warwick Gately, Electoral Commissioner, by delegation of the Commission pursuant to s 16(1)(b) of the *Electoral Act 2002*, make the following determination under section 9(3) of the *Electoral Act 2002*.

1. Application

This determination will apply in the situation of an elector applying to vote by post where the application is made by electronic means and the identity of the elector is to be verified.

In accordance with section 101(2A) of the *Electoral Act 2002 (EA)* an application by electronic means to the Commission to vote by post:

- a) must be in the prescribed form; and
- b) must contain information to enable the Commission to verify the identity of the elector in accordance with the verification process determined by the Commission for the purposes of this subsection.

2. Commencement

This determination commences on 30 October 2018.

3. Authority

This determination is made under sections 101(2A) of the EA.

4. Repeal

Nil

5. Definitions

Electronic Means: In this determination this means an application made over the internet via the Commission's website. Where a written application for a postal vote is made, transmission of that application to the Commission by electronic means is to be interpreted as by facsimile or email.



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6. Purpose

This determination establishes the process used by the Commission to verify the identity of an elector who applies to the Commission by electronic means (internet) to vote by post. The Commission's electronic application facility conforms with the information requirements at Form J of the Electoral Regulations 2012 (ER). That is the elector is required to choose a verification question from a drop-down menu and provide the answer in the application for subsequent matching on the returned ballot paper material. Details of the verification process are attached.



W.M. GATELY AM
Electoral Commissioner



Process to verify the identity of an elector who has made an application by electronic means (internet) to vote by post

This verification process is as follows:

- The Commission is to make available on the Commission's website an electronic postal vote application function. This function is to operate from the issue of the writ and until 6.00 pm on the Wednesday immediately preceding election day.
- The postal vote application function is to capture the information required at Form J of the ER.
- The postal vote application function is to present the elector applying for a postal vote with a drop-down menu containing at least three elector verification questions from which the elector will choose one question and provide the answer to that question.
- The Commission is to store the chosen question and its answer against the elector's electronic application for use in the subsequent verification process.
- Once satisfied that the electronic postal vote application contains the information prescribed by Form J of the ER, the Commission will deliver or post to the applicant a declaration in the prescribed form (form K, ER) and the relevant ballot papers. The Commission is to record the name of the elector to whom the declaration and ballot papers have been issued, the fact it was a vote by post, and the date of issuing.
- Upon receipt of a returned postal vote declaration envelope, the procedures prescribed by Regulations 23 and 40 of the ER are to be followed.
- The verification process to be completed under Regulation 40(2) of the ER, in relation to applications that were made electronically, is as follows:
 - the Commission must locate the answer provided by the applicant on the corresponding returned declaration envelope. The answer is to be compared against the nominated question and answer provided by the applicant in their electronic application.
 - Where the answer on the returned declaration does not match the answer on the application, the ballot-paper must be put aside as disallowed, without opening the envelope
 - Where the answer on the returned declaration matches the answer on the application, the ballot paper envelope is accepted for further processing.

