



# ECANZ Charter – 2022-2024

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## Introduction

The Electoral Council of Australia and New Zealand (ECANZ) is a consultative council of the Electoral Commissioners (each an Electoral Commissioner or together, Electoral Commissioners) from electoral authorities of the Commonwealth, States and Territories of Australia and New Zealand.

The Charter sets out the continuing commitment of ECANZ to the issues surrounding the integrity and performance of electoral systems on which trust and confidence in democracy relies and all matters relating to electoral administration for member electoral authorities.

It also identifies the key contemporary and emerging risks and challenges, as well as the opportunities, that electoral authorities face and the areas of ECANZ focus to meet those challenges over the next three years.

The Charter will be reviewed annually to assess the Council's impact and performance against its purpose and priority areas, recognising as well the need for both agility and flexibility to deal collectively with issues as they arise.

This document also provides the framework for the management of ECANZ and the administrative arrangements for council sessions.

## Purpose

ECANZ is a forum whose purpose is to ensure that the work and role of electoral commissions is better understood and properly resourced at the heart of democratic systems that enjoy the trust and confidence of political participants and citizens alike.

It provides a sense of solidarity and support for Commissioners who can both contribute and access practical advice and expertise across the policy, legislative and operational dimensions of their role and responsibilities.

Commissioners can:

- Collaborate on a range of electoral issues to use the strength of their collective voice to respond, where that is appropriate and useful, to risks and opportunities for the integrity and performance of electoral systems that they face in common

- Promote best practice electoral administration by considering policies and procedures within Australia and New Zealand and other overseas electoral jurisdictions
- Promote and/or undertake research into contemporary electoral issues affecting the integrity and performance of electoral systems at both a policy and operational level
- Establish working parties, with a clear purpose, intended impact and clarity on timelines and effective ways to review, change or conclude their work, to consider issues and report back to ECANZ
- Encourage mutual and co-operative development, and sharing of, information technology resources, electoral administration systems and intellectual property associated with such systems and procedures to minimise costs to each member
- Publish or distribute any reports or research with the consent of members – this may involve seeking input from any person or organisation that it considers appropriate
- Develop a program of professional development that addresses aspects of their leadership role and work which could be effectively addressed on a shared basis

ECANZ will be governed in accordance with the terms of this Charter.

ECANZ works as a voluntary association of leaders willing to define and explore a space of common interests and shared values.

The Council has no formal power or authority, and individual Commissioners are not bound by its deliberations or decisions.

Its effectiveness and value remain a function of the spirit of collaboration and mutual support from and between members. Its value is based on the ability to harness collective expertise and experience to engage the common issues and shared concerns to protect and enhance the integrity and performance of electoral systems across Australia and New Zealand.

## Two key principles

1. *All members are responsible for the performance of electoral systems in their own jurisdictions which are:*
  - *Transparent and accountable*
  - *Convenient and accessible*
  - *Responsive to the needs of electors and to other key stakeholders in the electoral process.*

These are principles which members seek to apply as consistently as possible and to the greatest extent possible in the context and conditions they each face in their separate and sovereign jurisdictions.

The successful application of these values in any single jurisdictions reflects well on the overall performance of electoral systems in all jurisdictions. Similarly, members accept that a failure in any jurisdiction is a failure for all.

- 2. Use ECANZ more regularly and explicitly to address a range of issues affecting electoral integrity and performance issues that have an impact on all jurisdictions and would benefit from a more collective approach as the basis for greater influence on key decisions on the policy and operational issues impacting electoral integrity and performance.*

This will include “war gaming” different scenarios that could impact electoral system integrity and performance to lift agility, preparedness and capability as consistently as possible across jurisdictions.

## Challenges

It’s hard to recall a period in recent history when the integrity and effectiveness of electoral systems, which is the core business of the members of ECANZ, has been more important or more challenged by difficult conditions affecting democratic trust and confidence in governments. That’s true around the world and it’s certainly true in Australia and New Zealand.

How well electoral commissions discharge their responsibilities, aiding and supporting which is the central business of ECANZ, is central to the health of democracy and associated conditions of security and prosperity.

There is a range of current and emerging trends that are impacting all ECANZ members in various combinations and to varying degrees of intensity. They include the impact of **foreign interference in elections**, the use of **misinformation**, including through social media platforms, challenges on **funding and donations** and a mix of operational issues including the state of **IT systems, digital and data** capability, and access to a **workforce** of requisite skill, size and flexibility.

The overwhelming **impact of the COVID-19 pandemic** continues to have significant implications for the electoral planning and delivery.

Poor **cybersecurity defences** against increasing attacks of rising complexity and intensity need to be addressed consistently and effectively.

There is a need to revisit the potential of an Australian “**national electoral platform**” of systems, processes and platforms that can be shared across jurisdictional boundaries as a vital investment in a key piece of national infrastructure. This is particularly important for the provision in Australia of **robust and effective digital platforms** for key electoral functions, including voting.

The challenge remains of **finding and keeping the right mix of talent and skills**, often in roles of specialist and niche expertise for which, inevitably, the pool of available candidates will be small and hard to source in the employment market, without which the delivery of elections and the surrounding policy and regulatory issues will not be handled as well as they should, and the extent to which some of those skills could be more effectively ‘pooled’ and shared.

Securing a **more consistent and reliable legislative and funding base** for predictable planning and investment across the range of electoral system functions and activities is an inescapable condition to ensure the steady improvement and security of electoral systems and their performance.

Underpinning these issues is the pervasive risk as electoral systems, and the issues of integrity and operational performance that define their role, transition from a time when they were seen as part of the relatively invisible infrastructure of good government (basically, a piece of public infrastructure taken for granted because the role was defined in transactional and limited terms) to the point now where their role as front-line defences in the struggle for confidence and trust has become both more evidence and under greater stress than ever before.

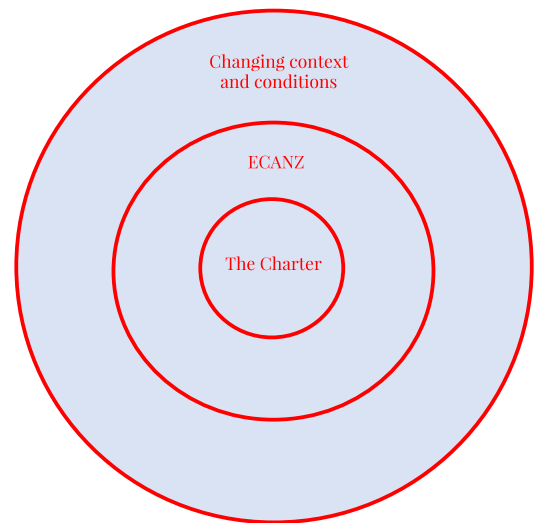
## Focus areas

Over the next three years, ECANZ will focus on these areas that can be addressed on a common and shared basis and which will benefit individual jurisdictions as well as the overall quality and performance of electoral systems across Australia and New Zealand.

Although there are many important underlying similarities of purpose, role and operating requirements across the different electoral systems, it’s also true that there are important differences too between the Australian jurisdictions and between Australia and New Zealand.

These differences – of political and policy context, of legislation, of funding and accountability arrangements for example – mean that these focus areas will not be uniformly significant or draw similar responses from the different jurisdictions.

Review of ECANZ Charter: Three Concentric Circles



However, these are all issues which the Council agrees represent a common agenda of opportunities and risks which, despite the need for appropriately different responses will impact the shared ambition to ensure electoral systems of integrity and high performance across Australia and New Zealand.

- (1) Revive the work on an Australian “**national electoral platform**” for services, functions and assets, especially in relation to cybersecurity and other aspects of security and integrity that can be built and used on a common and shared basis as a vital piece of national infrastructure.
- (2) Develop **shared approaches to workforce and skills**, including common training programs and a shared approach to developing and utilising across jurisdictions specialist expertise across the different dimensions of the electoral process (policy, legal and legislative, IT and digital, delivery, communications, research etc).
- (3) Reinforce and extend the work being done on common approaches to the impact of **foreign interference in elections** and the use and **misuse of social media**.
- (4) Develop protocols for **engaging with social media companies** more generally in the context of different aspects of the electoral process.
- (5) Use **ECANZ as a “clearing house”** to streamline the sharing of physical and digital assets and services as well as more easily accessible comparative information about different aspects of the electoral process (funding, donations, results, voting patterns and trends etc)
- (6) Consistent with what’s possible and appropriate in each jurisdiction, adopt a more nationally consistent, but not uniform approach to issues around **political and funding disclosure**, with a focus on (a) who’s funding whom and what and (b) with what influence?
- (7) Review and **continuously improve the legislative framework** for electoral integrity and performance to ensure it is relevant, streamlined and efficient and ‘fit for purpose’ in the light of changing conditions.

## Administrative arrangements

### *Composition*

ECANZ shall consist of the Electoral Commissioner from each Commonwealth, State and Territory of Australia and New Zealand.

Electoral Commissioners may nominate a senior staff member from their organisation to attend meetings in place of the Electoral Commissioner.

ECANZ may call upon electoral issue specialists to assist with reporting, facilitating discussion and presentations on particular issues, and they may be invited to attend a meeting.

## Chair

Members will elect a rotating Chair who will serve for a period of at least 12 months or for such period as agreed by members. A member may decline to take a turn at being Chair.

The Chair will preside at each meeting of ECANZ for twelve months. The Chair may, if necessary, appoint another member to act as Chair.

## *Meetings Schedule*

At the first meeting of the calendar year, ECANZ members will agree upon a schedule of meetings for the year and a list of priorities. Unless the membership agrees otherwise, ECANZ will meet at least three times a year (every four months), with an option for additional meetings, as necessary.

Meetings will be face to face; video conferencing is considered a viable alternative to a face-to-face meeting where appropriate or necessary.

## *Quorum*

At least six ECANZ members (Commissioners or their appointed delegates) are required for a quorum. In the absence of a quorum the meeting will be rescheduled to a date no more than four weeks hence, unless members agree to cancel the meeting.

## *Secretariat*

The Australian Electoral Commission (AEC) will be responsible for providing secretariat support to the Chair, and to facilitate meetings including preparing the agenda and recording minutes. The Chair may arrange for another Electoral Commission to provide secretariat support where it is deemed more convenient to do so or on any occasion the AEC is not in a position to assist.

## *Agendas and Minutes*

The ECANZ secretariat shall ensure that a draft agenda, as well as other agenda items, are circulated to ECANZ members for comment three weeks prior to meeting.

A final agenda, together with any supporting documentation, will be circulated to members at least two weeks prior to the scheduled meeting.

The Chair will approve the agenda prior to its circulation.

Except with the permission of the Chair, late papers or agenda items will not be accepted.

All papers for circulation should be received by the secretariat at least eight working days before the meeting to allow for timely collation and distribution.

An accurate record of each meeting (including minutes) is to be maintained and, with approval of the Chair, circulated promptly to ECANZ members.

Minutes will be approved at the following ECANZ meeting.

As far as possible, documentation associated with the conduct of ECANZ will be electronic.

### *Application*

On an annual basis ECANZ will review the content of this document and agree on the key activities that will be undertaken during the forthcoming year.

### *Members to Bear Own Costs*

Members will pay their own costs associated with being a member, including attending meetings, participating in workshops or undertaking reviews.

Members may, by mutual agreement, contribute funds and/or resources to any project on such terms and conditions as may be agreed from time to time.

### *Dissolution*

Members may collectively resolve to dissolve ECANZ at any time.