

Authorisations and content creators

When assessing whether a particular communication requires authorisation, the AEC will look to:

1. Whether the communication is electoral matter, and
2. Whether the communication is:
 - a **paid advertisement** which is approved by a person, including any paid-for social media posts.
 - **printed matter** – a communication that forms part of a sticker, fridge magnet, leaflet, flyer, pamphlet, notice, poster or how-to-vote card and the content was approved by a person (including hand-written materials)
 - a communication made by, or on behalf of, a **disclosure entity**.
**(unless exceptions apply)*

In considering whether a communication is electoral matter, the AEC will consider all the elements of s 4AA, including but not limited to:

- the proximity of the election
- who the communication is being communicated by
- whether the matter contains implicit or express comment on a political entity or significant third party
- the entire communication and its dominant purpose (including hashtags, logos, moving visuals or still images, audio, inserted or scrolling text, captions etc)
- the dominant purpose of other communications of matter by the person, and
- any exception that may apply.

The AEC assesses each matter on its own merits and the evidence it has before it:

- If a content creator/influencer/podcaster is being paid to communicate electoral matter, then the communication **must be authorised**.
- If a content creator/influencer/podcaster is communicating electoral matter by or on behalf of a political entity (e.g. a candidate or party) or some other disclosure entity (e.g. a registered significant third party or associated entity), the communication **must be authorised**.

If the above does not apply, then the communication will likely not require an authorisation.

Collaborative posts

It is common practice for disclosure entities to communicate electoral matter on social media that is shared by other people or entities, or for others to create content that is shared/posted by a disclosure entity. The AEC notes that functionality of these collaborative posts differ on different platforms, and that some platforms may not allow the disclosure entity to edit a collaborative post to include an authorisation message.

The Electoral Act and Authorisation Determination require:

- Where a disclosure entity re-shares or reposts, the communication made by a content creator/influencer/podcaster, then the reshared post or communication will be considered a separate communication and likely require an authorisation by the person responsible for resharing or reposting.
- Where a communication is published as a collaboration on a social media platform and the disclosure entity accepts the collaboration causing the communication to automatically post to the disclosure entity's own profile, the disclosure entity accepts that the communication is made by or on behalf of itself. The communication in this instance **must be authorised**.

OFFICIAL

The AEC further recommends the following better practice approach to ensure disclosure entities do not breach of the authorisation requirements:



If a disclosure entity is unable to edit a collaborative post to add an authorisation, the AEC **recommends**:

- the disclosure entity requests the creator tags them in the post; and
- the disclosure entity posts the communication with an authorisation included on their own page.

The AEC's general guidance remains – 'when in doubt, authorise it'.

For more information regarding the authorisation requirements, please see [Authorising Electoral Communications](#).