

Regulatory Framework

May 2026 - Version 1

Foreword



I am pleased to present the Australian Electoral Commission (AEC) Regulatory Framework. This document serves as the AEC's commitment to regulatory stewardship and a culture of continuous improvement.

The AEC Regulatory Framework (Framework) clearly communicates the AEC's regulatory posture and the core principles that underpin our activities as a regulator. It aligns to the vision and expectations set out in the Australian Government [Regulatory Policy, Practice and Performance Framework](#) to empower regulators and policymakers to drive better regulatory policy, practice, and performance through effective regulatory systems.

Through our operations, Australians can enrol, nominate as candidates for federal elections, vote, and have their votes counted accurately and securely. We also register political parties and ensure transparency of political financing and electoral communications.

Strong regulation of these important electoral processes, alongside world-leading election delivery, are already a hallmark of the AEC and contribute to our trusted reputation and voters' confidence in the electoral system.

Globally, the fundamental structures of democratic systems are being challenged. The information environment continues to change rapidly and with it, the way in which Australians access trusted and authoritative sources of information. Complex security considerations and rapid advancements in technology, such as artificial intelligence, are both enhancing and testing traditional approaches to regulation.

This future-facing Framework sets the strategic foundation for the AEC to be dynamic to our operating environment, and responsive and receptive to emerging technologies. To accomplish our regulatory objective, the AEC Compliance Strategy establishes compliance priorities across our regulatory functions.

In delivering against this Framework, the AEC will continue to mature the capacity and capability that we need as an agency to support effective regulatory operations and adapt to future changes. This includes a skilled, professional workforce, complemented by modern, fit-for-purpose digital capability.

As a model regulator, the AEC will continue to provide accessible education, communication and guidance resources to increase knowledge of obligations under electoral laws – and encourage best practice from our regulated community.

I am committed to ensure that our electoral system is as robust and resilient as ever, and invite you to engage with the Framework.

A handwritten signature in black ink, appearing to read 'JPope', written over a light blue background.

Jeff Pope APM
Electoral Commissioner

Introduction

The AEC regulates requirements under the *Commonwealth Electoral Act 1918* (Electoral Act) and the *Referendum (Machinery Provisions) Act 1984* (Referendum Act).

Effective performance of our regulatory responsibilities, alongside delivery of electoral services (for both elections and referendums), contributes to our regulatory objective and, importantly, ensures public confidence and trust in Australia's electoral and democratic processes.

Our regulatory objective is to be the steward of electoral processes and electoral integrity through promoting active, informed and equitable participation by all Australians.

In carrying out our regulatory role, we engage with individuals, political entities and organisations that have obligations under the Electoral Act and Referendum Act and with other members of the Australian public.

The key features of the Framework cover our regulatory role, principles, approach and response, which together convey to the regulated community and the Australian public:

- what we regulate and principles for how we operate
- how we approach regulation and what can be expected from us as a regulator
- the actions we can take to ensure obligations in electoral laws are met, and
- how we ensure our regulatory actions are effective and achieve our regulatory objective.

Our regulatory role

The AEC regulates important aspects of the electoral system under the Electoral Act and Referendum Act that enable Australians to participate in electoral, referendum and democratic processes.

Our regulatory role encompasses **five key areas**:



Enrolment and voting

Compulsory enrolment, voting, and electoral integrity



Registration of political parties

Eligibility requirements and registration process for political parties



Political finance

Financial disclosure, entity registration, gift and expenditure caps and electoral funding



Authorisation of communications

Authorisation requirements for electoral communications



Roll and event integrity

Civil and criminal offences under legislation administered by the AEC

What we don't regulate

We do not regulate state, territory or local council elections. These elections are conducted by other electoral management bodies.

We have no role in regulating the political content or truth of electoral communications. However, the Electoral Act makes it a criminal offence to publish or distribute any communication that is misleading or deceptive in relation to the process of casting a vote at an electoral event. The AEC investigates these communications on a case-by-case basis and may refer matters to the Australian Federal Police (AFP). Rules around authorisation of campaign material ensure that voters understand the source of electoral communications. It is the responsibility of each voter to inform themselves of the policies of the registered political parties and candidates seeking to be elected at a federal election.

We do not have powers to regulate behaviour or conduct of election campaigners that occurs beyond 6 metres from the entrance to a polling place. Intimidation and harassment have no place in the democratic process. If unlawful conduct occurs at a polling place, the AEC or those impacted may refer the matter to local law enforcement or the AFP for assistance.



Our partnerships

We collaborate with other agencies and share information on innovative approaches to address issues impacting Australia’s electoral system and electoral and democratic processes more broadly.

In Australia, we work with:

- other government and regulatory agencies
- other electoral management bodies, and
- law enforcement and intelligence agencies.

The AEC chairs the Electoral Integrity Assurance Taskforce. It brings together relevant government agencies to provide coordinated information and advice to the Electoral Commissioner on matters that may compromise the real or perceived integrity of an electoral event.

Outside of Australia, we work with international electoral management bodies to promote our practices and experiences, share knowledge and best practices, and provide electoral assistance through capacity building.

The AEC is a member of the Electoral Council of Australia and New Zealand (ECANZ), a consultative council of the Electoral Commissioners across Australia and New Zealand. ECANZ members collaborate on the integrity and performance of electoral systems, as well as emerging risks and challenges.

Our regulatory posture

Our regulatory approach is risk-based, intelligence-informed, and technology-enabled.

Risk-based	Intelligence-informed	Technology-enabled
<p>Our attention and resources focus on instances of non-compliance that present the most serious risk of harm to electoral integrity.</p> <p>We take regulatory actions that are both targeted and proportionate and effectively address systemic non-compliance.</p>	<p>Our information is accurate and reliable and draws from engagement with the regulated community and collaboration with other government agencies.</p> <p>We use intelligence and data to proactively monitor and identify non-compliance.</p>	<p>Our modern, secure capabilities and analytical tools enable us to streamline our operations and ensure innovative regulatory practice.</p> <p>We are responsive to emerging technological advances.</p>

Engagement and communication drives our regulatory posture and helps us achieve our regulatory objective. In practice, this means we will:

- facilitate meaningful engagement with the regulated community that is impartial, evidence-based and equitable
- prioritise clear, accessible, timely and relevant information, and
- review our engagement and regulatory activities and find opportunities to mature as a leading regulator.

Our regulatory principles

The Australian public and the regulated community can expect the AEC to pursue our regulatory activities consistent with our regulatory principles.

Impartial

We are independent and apolitical, and our regulatory activities and decisions adhere to due process, are objective and free from bias.

Proportionate

We identify and respond to current and emerging risks, adapting our posture during electoral events, and ensuring greater equity for electoral participants with compliance actions that are consistent and proportionate.

Transparent

We communicate our regulatory posture and provide clear and accessible information and education in accordance with electoral laws.

Accountable

We account for our decisions, outcomes and performance through robust governance and reporting processes.

Our compliance model

The integrity and strength of Australia’s electoral and democratic processes depend on informed and active engagement by all electoral participants.

We expect the regulated community to:

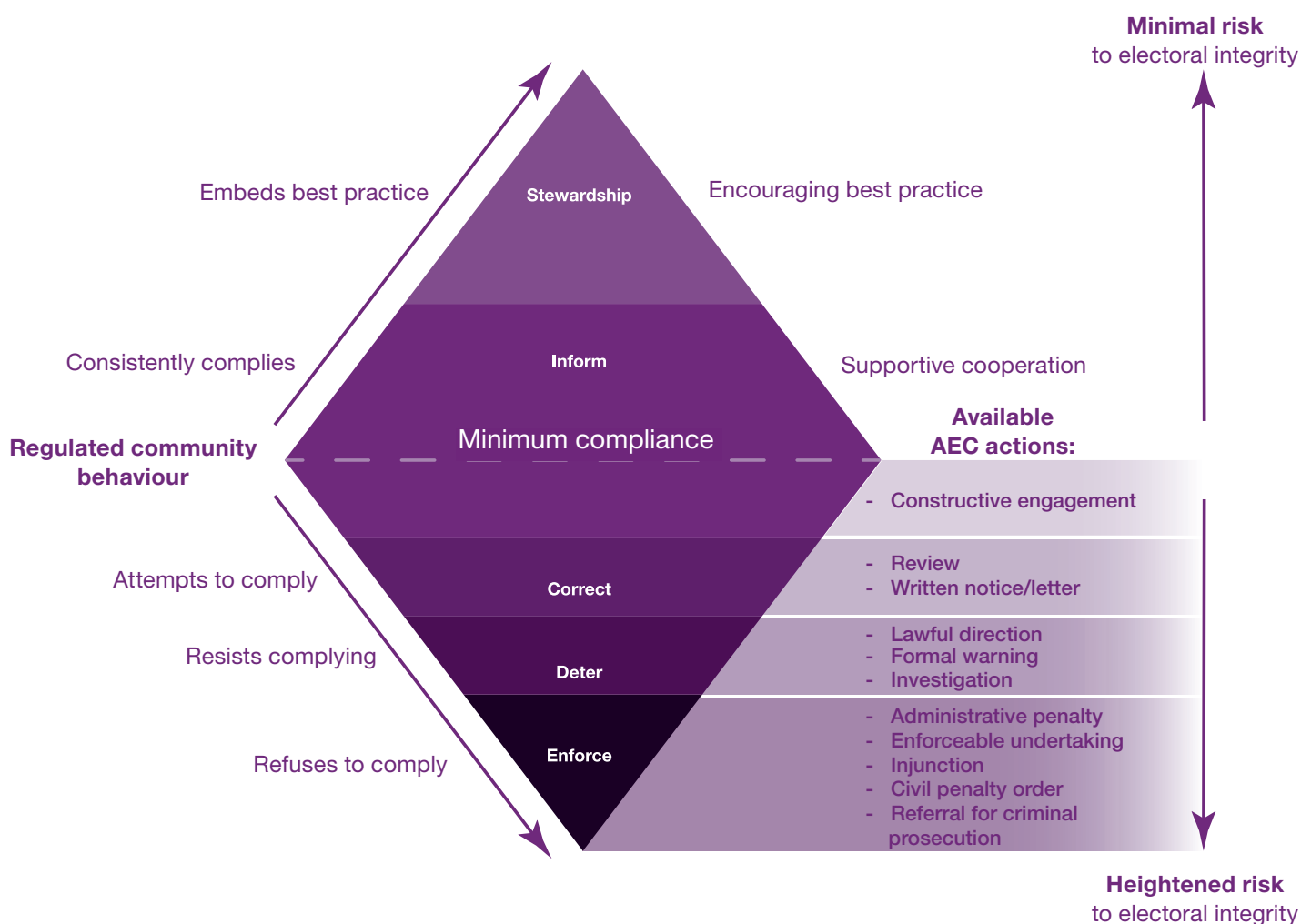
- identify, understand and comply with regulatory requirements
- engage cooperatively and provide accurate and timely information
- commit to building a culture of compliance, and
- continuously improve to embed best practice.

Our compliance model defines the relationship between the behaviour of the regulated community and the AEC’s regulatory response and actions.

Regulatory stewardship

The AEC is proactive and committed to effective regulatory stewardship. We aim for an engaged and informed compliance culture within our regulated community and seek ongoing partnership with stakeholders to achieve best practice regulatory outcomes.

We are responsive to the behaviour of the regulated community and emphasise continuous improvement and shared responsibility to promote better outcomes. Our regulatory operations remain flexible, able to adapt to the electoral cycle and respond to emerging risks accordingly.



Education and engagement

Through our education and engagement initiatives, we aim to facilitate both voluntary compliance by entities and individuals and equity for all electoral participants. We build capability by working cooperatively with the regulated community and designing user-centred resources.

Education resources are accessible, and our direct engagement enables individuals and entities to focus their compliance efforts. We maintain up-to-date guidance materials to help the regulated community understand what they must do to meet their obligations and embed compliance practices.

Proactive and proportionate

We use reliable intelligence and conduct environmental scanning and monitoring to identify areas of potential non-compliance. Our investigations focus on identified priorities, both *enduring* and *targeted*. Enduring priorities are defined in the AEC Compliance Strategy and targeted priorities will be published by the AEC annually to align with our regulatory and program performance reporting.

Our interventions aim to correct and deter non-compliance. We have a graduating scale of responses and prioritise activities according to our assessment of risk and seriousness of harm. We may escalate our response to enforce compliance where it is warranted, and due to the seriousness or consequences of a breach. This includes moving directly to enforcement action where there is deliberate avoidant behaviour, or conduct posing an immediate threat to the integrity of electoral and democratic processes.

We will use other actions proportionate to the risk of harm to integrity of electoral processes, such as constructive engagement, formal warnings, or enforceable undertakings. When used effectively, our compliance actions can educate and serve as a deterrent for others in the regulated community.

The AEC Compliance Strategy contains further details about how we apply our compliance model across our regulatory areas to ensure we are carrying out our regulatory role effectively.

Further information

Evaluating our performance

In exercising our functions and powers, we are held accountable through regular scrutiny by Parliament and annual public reporting.

The AEC's corporate plan outlines the key activities we undertake to achieve our purpose and outcome and defines the measures of success for our regulatory functions. Our annual report provides assurance to Parliament and the Australian public on the performance and effectiveness of our regulatory processes against these key measures.

Our Framework will support us to plan and manage our regulatory priorities and operations, and help ensure the AEC is accountable for achieving our regulatory objective.

We undertake to meet our regulatory objective in line with the three principles of regulator best practice defined in the Department of Finance's Regulator Performance [Resource Management Guide 128](#).

- Principle 1: continuous improvement and building trust
- Principle 2: risk based and data driven
- Principle 3: collaboration and engagement

In doing so, the AEC will regularly review the effectiveness of our regulatory approach and settings to drive continuous improvement and ensure our decisions and processes are consistent with relevant legislation.

More information

The AEC Regulatory Framework does not override or displace the instruments that govern the direction of Commonwealth legal services or prosecutions. These include instruments such as the Legal Services Directions 2025, or *Prosecution Policy of the Commonwealth*.

For more information visit aec.gov.au or email regulatory@aec.gov.au