

## Campaign signage & printed material

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Campaign signage, political messaging and materials, authorisation messages, and ‘truth’ in political communications, continue to be an intense area of focus for electors and political commentators. The AEC has already received numerous complaints regarding campaign material that is in use in the lead up to the 2022 federal election.

Many of the complaints relate to truth in electoral advertising – something the *Commonwealth Electoral Act 1918* (the Electoral Act) does not regulate. However, other complaints relate to possible breaches of the Electoral Act. As a result, we have contacted a number of individuals and entities to advise them of the requirements for campaign material in the Electoral Act.

The below reminders are being provided in advance of the election period.

### Authorisations

The Electoral Act requires people and entities communicating certain electoral matter (e.g. paid electoral advertising) to authorise those communications so that electors can know who is responsible for the communication.

Depending on the type of communication and who is making the communication:

- section 321D(5) of Electoral Act specifies the particulars that must be included in an authorisation
- sections 11 and 12 of the [Authorisation Determination](#) specify how and where an authorisation must be placed (e.g. for print communications, the authorisation must be a size that is able to be read and must not be obscured).

The AEC receives many of the complaints about authorisations on election material for which it is clear from the rest of communication who is responsible (e.g. signage with a candidate’s picture and name).

While we take a graduated approach to enforcement of the authorisation requirements, technical breaches must be followed up. We’d prefer not to invest significant time on these technical breaches during the election period pursuing technical breaches and know that campaigners would similarly will not want to have to adjust or remove their communications.

For these reasons we encourage your party, candidates and workers to familiarise yourselves with the authorisation requirements in Part XXA of the [Electoral Act](#) and the [Authorisation Determination](#). More information about these requirements is on the AEC website in the [Electoral Backgrounder: Electoral communications and authorisation requirements](#).

## Misleading or deceptive publications

The AEC has been publicly communicating in the lead up to the 2022 federal election that we are particularly concerned with any misinformation or disinformation relating to electoral processes.

- [AEC disinformation register](#)



Already we have corrected a number of online posts circulating incorrect information about election processes. Once the writ is issued, any communication that is likely to mislead or deceive an elector in relation to the casting of a vote could be an offence under section 329 of the Electoral Act.

Following the 2019 federal election, the Federal Court found some campaign signs that advised Mandarin speaking electors of the 'correct way to vote', used the same purple as the AEC and were displayed in close proximity to polling places were likely to have misled or deceived electors in relation to the casting of a vote.

More recently we have warned an entity displaying a prominent sign with a 'tick' on a ballot paper because this could mislead a voter about how to cast a formal vote, a

formal vote requires voters to number their ballot papers.

The AEC and any other candidates may apply to the Federal Court for an injunction to remove any electoral communications that breach the Electoral Act.

Further we may refer matters that may breach s329 and are not rectified or removed when we enquiry to the AFP for potential prosecution.

## Colour palettes/ branding

The use of colours in campaign material is a common topic of public conversation at federal elections.

The Electoral Act does not restrict the use of colour. However, if the use of a particular colour, when combined with text or images, is likely to mislead a voter in relation to the casting of their vote then this could result in a breach of section 329 of the Electoral Act.

While the electoral laws do not prohibit the use of purple, if an electoral communication is too similar to AEC branding or communications, this may be a criminal offence under the Criminal Code for impersonating a Commonwealth body. We therefore caution all campaigners on the use of the colour purple or other branding elements similar to the AEC. Any communication using that colour should be clear that messaging is not coming from the AEC - this includes applying a clearly visible authorisation statement.

- FAQs [Purple Campaign signage](#)