THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

Commonwealth Electoral Amendment (Candidate Choice And Political Accountability) Bill 2026

A Bill for an Act to ensure direct candidate choice in federal elections, and for related purposes

Bill

2026

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A Bill for an Act to ensure direct candidate choice in federal elections, and for related purposes

The Parliament of Australia enacts:

1 Short Title

This Act is the Commonwealth Electoral Amendment (Candidate Choice and Political Accountability) Act 2026.

2 Commencement

(1) Sections 1 to 3 commence on the day this Act receives the Royal Assent.

(2) Schedule 1 commences on the later of: (a) the day after the end of the period of 12 months beginning on the day this Act receives the Royal Assent; and (b) 1 July next following that day.

(3) Schedule 2 commences 6 months after the day this Act receives the Royal Assent.

(4) Schedule 3 commences on the day this Act receives the Royal Assent.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

4 Objects

The objects of this Act are:

(a) to ensure that each preference counted in a Senate election is expressly allocated by an elector to a named candidate;

(b) to abolish above-the-line voting and the statutory conversion of group preferences into candidate preferences;

(c) to reduce positional advantage by rotating candidate names within Senate groups;

(d) to strengthen transparency and local participation in party candidate selection; and

(e) to improve the availability of comparable information about candidates and candidate-level election results.

Schedule 1 - Candidate-Centred Senate Voting

Commonwealth Electoral Act 1918

1 Subsection 168(1)

Repeal the subsection, substitute:

(1) Two or more candidates for election to the Senate may make a joint request that their names be grouped on the ballot papers.

2 After Subsection 168(2)

Insert:

(2A) A request under subsection (1) must not specify, and does not determine, the order in which the candidates' names are printed within the group.

3 Subsection 169(4)

Repeal the subsection.

4 Paragraph 210(1)(b)

Repeal the paragraph, substitute:

(b) the order of the names of candidates within each group must be varied in accordance with section 210B;

5 Subparagraph 210(1)(f)(ii)

Repeal the subparagraph.

6 After Section 210A

Insert:

210B Rotation Of Candidate Names On Senate Ballot Papers

(1) The Electoral Commissioner must approve a system for printing and distributing variants of Senate ballot papers under which the order of candidates within each group is rotated.

(2) The approved system must ensure, as nearly as practicable, that: (a) each candidate in a group appears in each position within that group on an equal number of ballot papers; and (b) each ballot-paper variant is distributed randomly and in substantially equal numbers throughout the relevant State or Territory.

(3) The approved system must provide substantially equivalent positional rotation for candidates who are not included in a group.

(4) The Electoral Commissioner must publish the approved system, the number of ballot-paper variants and the distribution methodology before the commencement of early voting for the election.

(5) A failure to achieve exact numerical equality because of printing, distribution, replacement or operational requirements does not invalidate an election if the Electoral Commissioner has taken all reasonable steps to comply with this section.

7 Subsection 210A(5)

Repeal the subsection.

8 Paragraphs 214(2)(d) And (e)

Repeal the paragraphs.

9 Subsections 214A(2) And (3)

Repeal the subsections.

10 Section 239

Repeal the section, substitute:

239 Marking Of Votes In Senate Election

(1) A person must mark the person's vote on a Senate ballot paper by writing consecutive numbers beginning with the number 1 in the squares printed opposite the names of individual candidates, in order of the person's preference.

(2) If more than 6 candidates contest the election, the person must number at least 6 candidates.

(3) If 6 or fewer candidates contest the election, the person must number all candidates.

(4) A number written in relation to a political party, group heading or other matter that is not the name of an individual candidate has no effect.

11 Paragraph 268(1)(b)

Repeal the paragraph, substitute:

(b) in a Senate election, it has no vote indicated on it or, subject to section 268A, it does not indicate the voter's first preference for one candidate and consecutively numbered preferences for at least 5 other candidates;

12 Sections 268A And 269

Repeal the sections, substitute:

268A Formal Votes In Senate Elections

(1) A Senate ballot paper is not informal under paragraph 268(1)(b) if: (a) the voter has consecutively numbered at least 6 candidate squares beginning with the number 1; or (b) there are 6 or fewer candidates and the voter has consecutively numbered all candidate squares beginning with the number 1.

(2) A single tick or cross in one candidate square is taken to be the number 1, but does not by itself satisfy subsection (1) where more than one preference is required.

(3) Repeated numbers and all higher numbers are disregarded.

(4) If a number is omitted, all numbers higher than the omitted number are disregarded.

(5) A ballot paper must be given effect according to the voter's intention so far as that intention is clear.

13 Section 272

Repeal the section.

14 Paragraphs 273(2)(ca), (d) And (da)

Repeal the paragraphs, substitute:

(ca) count the number of first preference votes marked for each candidate;

(d) make, sign and keep a statement, which may be countersigned by a polling official and any scrutineers present, setting out the number of first preference votes marked for each candidate and the number of ballot papers; and

(da) transmit the candidate-level first preference totals to the Divisional Returning Officer as soon as practicable;

15 Section 273

Omit each reference to a square above the line and substitute a reference to a square printed opposite the name of a candidate, where the context permits.

16 Form E In Schedule 1

Repeal the form, substitute:

Form E - Senate Ballot Paper

The ballot paper must: (a) identify the State or Territory and the number of Senators to be elected; (b) contain a square opposite the name of every candidate; (c) display any registered party name or the word Independent adjacent to the relevant candidate; (d) contain no dividing line, above-the-line voting square or group voting square; and (e) state prominently: Number at least 6 individual candidates in the order of your choice. Your preferences will transfer only to candidates you number.

17 Application Provision

The amendments made by this Schedule apply to a Senate election for which the writ is issued on or after the commencement of this Schedule.

Schedule 2 - Transparent Candidate Selection And Information

Commonwealth Electoral Act 1918

1 After Section 169C

Insert:

169D Candidate Selection Transparency Certificate

(1) A request under section 169 to print a registered political party's name adjacent to a candidate must be accompanied by a candidate selection transparency certificate.

(2) The certificate must state: (a) the method by which the candidate was endorsed; (b) the party body responsible for the process; (c) whether more than one eligible applicant sought endorsement; (d) whether a secret ballot of eligible members was conducted; (e) the number of members entitled to participate; (f) the number who participated; (g) the aggregate vote received by each applicant; and (h) whether a party executive varied, displaced or replaced the result and, if so, the reasons.

(3) If more than one eligible applicant seeks endorsement, the party name must not be printed beside the endorsed candidate unless the endorsement was determined by secret ballot of eligible party members enrolled in: (a) the relevant Division, for a House of Representatives election; or (b) the relevant State or Territory, for a Senate election.

(4) Subsection (3) does not apply where the Electoral Commissioner is satisfied that death, incapacity, withdrawal, disqualification or the timing of an election made a member ballot impracticable. The certificate must fully state the circumstances relied upon.

(5) A membership period of at least 90 days before the issue of the writ may be prescribed for participation in a ballot under subsection (3).

(6) The Electoral Commission must publish the certificate within 48 hours after accepting it.

(7) A certificate must not identify how an individual member voted.

(8) Giving false or misleading information in a certificate is subject to the Criminal Code.

2 After Section 181C

Insert:

181D Official Candidate Information Service

(1) The Electoral Commission must establish an official candidate information service for each federal election.

(2) The service must give every duly nominated candidate an equal opportunity to provide a statement of not more than 400 words in the approved form.

(3) The approved form may include: (a) occupation and relevant employment history; (b) connection with the relevant electorate, State or Territory; (c) community and public service; (d) current and former political employment; (e) party endorsement or independent status; (f) principal policy priorities; and (g) campaign contact details.

(4) The service must present candidate statements in a uniform manner and must state that the content was supplied by the candidate and is not endorsed by the Commission.

(5) The Commission may refuse to publish material that is unlawful, defamatory, obscene, materially deceptive as to another person's identity, or inconsistent with the prescribed form.

(6) The service must be publicly available in accessible digital form no later than 10 days before the commencement of early voting.

(7) A candidate is not required to provide a statement.

3 After Section 283A

Insert:

283B Publication Of Candidate-Level Election Data

(1) Within 90 days after the return of the writ for a federal election, the Electoral Commission must publish candidate-level election data in human-readable and machine-readable forms.

(2) For each candidate, the data must include: (a) first preference votes; (b) votes received at each transfer; (c) the transfer value applying at each transfer; (d) the count at which the candidate was elected or excluded; and (e) the candidate's final vote total.

(3) The information must remain available without charge as part of the permanent public election record.

4 Application Provision

The amendments made by this Schedule apply in relation to nominations made on or after commencement.

Schedule 3 - Independent Review

1 Independent Review Of Reforms

(1) The Minister must cause an independent review of the operation of the amendments made by this Act to commence as soon as practicable after the return of the writs for the second general Senate election conducted under Schedule 1.

(2) The review must consider: (a) voter comprehension; (b) informal voting; (c) ballot accessibility; (d) the distribution of first preferences among individual candidates; (e) the operation of candidate rotation; (f) party preselection participation and transparency; (g) administrative cost and scrutiny integrity; and (h) whether further amendments are necessary to strengthen candidate-level voter choice.

(3) The persons conducting the review must invite public submissions and consult the Australian Electoral Commission, political parties, independent candidates, electoral experts and organisations representing voters with disability.

(4) The Minister must cause a written report of the review to be tabled in each House of Parliament within 15 sitting days after receiving it.