Australian Electoral Commission Artificial Intelligence (AI) Transparency Statement

Background

The Australian Electoral Commission (AEC) notes the Policy for the Responsible Use of AI in Government (the Policy) requires that relevant agencies, including the AEC, release a transparency statement providing information about their use of AI.

Consistent with the Policy, the AEC has provided the Digital Transformation Agency a link to this statement on the AEC website.

The Policy also requires the AEC to nominate an accountable official for the implementation of the Policy. The AEC's accountable official is the First Assistant Commissioner, Enterprise Transformation Group.

The AEC's use of AI

The AEC has in place one limited use trial using AI and is considering a second limited use trial. The current trial will be used to evaluate the use of GitHub Copilot on software development assurance. The second trial will be conducted to evaluate the use of Microsoft 365 Copilot Pro on corporate tasks within the AEC. In addition to these trials, a private instance of Microsoft 365 Copilot is currently available to AEC staff along with assistive and adaptive technologies such as speech-to-text software.

The Policy requires the AEC to state the usage pattern(s) and domain(s) associated with its use of AI:

- Usage pattern: Workplace productivity. The AEC's trials and current use are used for workplace productivity purposes, including basic secretariat support and supporting the assurance of software coding processes.
- Domain: Corporate and enabling. The AEC's trials and current use relate to supporting corporate functions and improving operational efficiency.

More information about usage patterns and domains is available at Classification system for AI use | digital.gov.au

The effectiveness of the trials will be assessed through a range of measures, including:

- Focus groups and user feedback. Feedback will be gathered on usability, ease of integration and overall satisfaction.
- Survey measures. Targeted surveys will be used to assess staff use and responses.
- Super user forum. A collaborative forum will provide an opportunity for users to provide feedback and seek support.

For all listed usage, information generated by AI is reviewed by a human who considers the output for further use.

The AEC does not use AI in any electoral process and the AEC's use of AI does not impact on the management or results of federal elections or industrial elections. Nor does the AEC's use of AI have any other significant impact on the public and AI is not used as part of any AEC interaction with the public.

Identifying and protecting against risks to electoral integrity

The AEC acknowledges the transformative potential of AI for society and government, including operational efficiencies and enhanced data analysis. The 2024 Australian Government trial of Microsoft 365 Copilot showed productivity improvements but also highlighted barriers, concerns, and risks associated with AI in government.

Public trust in the AEC is crucial for maintaining confidence in electoral processes and results, which is essential for defending Australia's democracy. In a rapidly evolving digital landscape, meeting community and stakeholder expectations is increasingly complex.

To maintain public confidence, the AEC emphasises the importance of transparency in how AI is used in its operations, security, and information systems as detailed above in "The AEC's use of AI".

Third-party suppliers

The AEC has processes in place to manage the potential use of AI by third-party suppliers.

Agreements with third party providers contain confidentiality requirements that the provider is contractually required to adhere to. Where applicable, the AEC additionally requires all relevant provider personnel are Australian citizens and may require that personnel possess Australian Government security clearances at a level the AEC deems appropriate per-role.

For applicable agreements (i.e. managed service arrangements), the AEC contractually requires that AEC data remains onshore in Australia.

In cases where the provider is delivering an IT capability that processes AEC data, such solutions are subject to the AEC's review and approval through its governance processes. Any potential utilisation of AI as part of such solutions would be identified as part of this process, including with respect to potential data sovereignty issues.

Governance and legislation

Governance Structure

1. Executive Leadership Team (ELT):
   - Overarching monitoring of performance, accountability, risk, and agency direction.
   - Chaired by the Australian Electoral Commissioner.
   - Approves limited use AI trials in conjunction with other relevant decision-making committees.
2. Decision-Making Committees:
   - Electoral Integrity Committee (EIC): Focuses on AI security and risk, ensuring electoral integrity.
   - Transformation Investment Committee (TIC): Evaluates AI use from a strategic transformation and investment perspective.
3. Advisory Audit Committee:
   - Established under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

Compliance with Legislation and Regulation

- *Privacy Act 1988*: Regulates the collection, storage, and use of personal information by AI.
- *Archives Act 1983*: Governs records created by AI.
- *Freedom of Information Act 1982*: Provides public access to documents created by AI.

Oversight and Audits

- Compliance overseen by the Organisational Health, Performance and Risk Committee and ELT.
- Internal audits are conducted to detect non-compliance.
- The Regulatory Action Plan guides the AEC's approach to regulatory compliance, including application of the new AI Policy.

Updates to this statement

Consistent with the Policy for the Responsible Use of AI in Government, this statement will be updated at least once a year, or as the AEC's approach to AI changes or evolves. This statement was updated on 10 January 2025 and is authorised by the acting Australian Electoral Commissioner.

Contact

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