

AEC Submission

The Australian Code of Practice on Disinformation and Misinformation | Code Review

November 2025

Introduction

Ensuring the integrity of Australia's electoral processes is fundamental to upholding public trust and confidence in the nation's democratic system. Addressing misinformation and disinformation about electoral processes is a priority for the AEC and we are committed to continuing to engage with industry on protecting and promoting the integrity of electoral events.

The information ecosystem, including how it functions during federal electoral events, continues to evolve rapidly. The AEC's work in this area is well documented and is underpinned by its [Reputation Management System](#). This includes, but is not limited to:

- [The AEC's active social media approach](#)
- [The Stop and Consider paid advertising campaign](#)
- [Digital literacy tools for voters](#)
- [Relationships with social media platforms](#) with established processes for referring content
- Environmental scanning
- Publishing and refuting disinformation on the electoral process on the [AEC's Disinformation Register](#).

During the 2025 federal election (2025FE), the AEC observed changes from previous federal elections in the tone of content it sees via social media. This included a rise in the number of users questioning the integrity of electoral processes. The undermining of trust is not something solely experienced by the AEC but rather is a broader trend that has been observed across government in Australia and overseas. Examples of false narratives the AEC observed during 2025FE can be found – outlined and debunked – on the [2025 Disinformation Register](#).

False narratives such as these can be shaped and exploited by malign actors seeking to interfere with and undermine electoral processes. The proliferation of misinformation and disinformation about electoral processes, via both online and traditional media sources, can also result in real-world physical security incidents, further threatening democratic institutions and electoral processes. Limited to the very specific act of casting a vote during the polling period, section 329 of the *Commonwealth Electoral Act 1918* (Electoral Act) prohibits content "that is likely to mislead or deceive an elector in relation to the casting of a vote." Other than a non-compliant authorisation on political advertising, the AEC has no other legislative powers to address misinformation and disinformation about the electoral process.

The use of generative artificial intelligence (AI) is now firmly embedded in the global online information environment, and the AEC observed it being used in several ways during the 2025FE, for example, for political messaging and advertising. The AEC is aware, and it was widely reported prior to the 2025FE, that generative AI had the potential to amplify existing threats to electoral integrity, particularly by increasing the volume and velocity of the spread of misinformation and disinformation – for example, by the creation of deceptive 'deepfakes'. However, supported by the Electoral Integrity

Assurance Taskforce (EIAT), the AEC is satisfied that the use of AI did not interfere with election delivery nor was it likely to have impacted Australians' trust in the results. We are however observing with great interest the impact of AI on the recent Presidential election in Ireland and the response from relevant social media companies.

The AEC supports DIGI's efforts to strengthen the online platforms' ability to combat the online dissemination of electoral misinformation and disinformation and encourages DIGI to continue to treat it as a high priority. The AEC's responses to the issues raised for discussion are below.

Response to DIGI's key discussion issues

Issue 1: The transparency reporting process as a means of informing the public and a framework for the review of activities by signatories under the Code.

The AEC supports transparent reporting that provides more meaningful insight under the Code. In a changing digital environment, it is beneficial to gain insight into activities that signatories are undertaking in relation to the Code. The AEC supports DIGI's outlined intention of developing common metrics that could be used to compare different platforms, and individual platform progress. We acknowledge this would take some work to apply consistently across platforms, therefore at minimum we would advocate for data that is meaningful and can be compared across reporting periods. DIGI may also wish to have regard to international best practice.

The AEC welcomes insights into changes to policies and moderation processes by signatories in response to changing environmental conditions. This would provide valuable insight with respect to the AEC's functions as a regulator. In addition, minimum standards for platform reporting on advertising, and transparency regarding political advertising would better allow voters to understand the source of messaging, and support advertisers to comply with authorisation requirements in the Electoral Act.

With continuous changes in the online environment, including the continued evolution of AI, the AEC welcomes insights and reporting on signatory activities under the Code where it relates to use of AI that can be classified as electoral misinformation or disinformation.

The AEC does not support the proposal to limit scope of the Code to exclude misinformation. The AEC believes this would be a backward step. While the AEC recognises the difference between misinformation and disinformation, largely relating to the intent of the communicator, the experience of the AEC is that deliberately circulated electoral disinformation can and does quickly evolve into unintentionally circulated electoral misinformation. In the electoral context, misinformation has equal potential to cause harm, such as disenfranchising voters or undermining trust in the AEC and/or the results of an election.

Issue 2: What role (if any) can the Code play in facilitating an eco-system approach to combatting misinformation and disinformation?

As noted in DIGI's 'Australian Code of Practice on Disinformation and Misinformation – 2025 Review Discussion Paper' (Discussion Paper), combatting misinformation and disinformation requires a multi-pronged approach. A successful ecosystem approach requires coordinated, multi-stakeholder collaboration, which the Code can play a role in facilitating. Data sharing protocols and transparency are key, and access to meaningful data is increasingly limited. This challenges the ability for an ecosystem approach to respond quickly and effectively to emerging threats.

The AEC undertakes targeted efforts to promote electoral literacy and collaborates with Australian Government partners to focus on misinformation and disinformation about electoral processes. The AEC's submission to the Joint Standing Committee on Electoral Matters (JSCEM) inquiry into the 2025 federal election included insights into the digital information environment during the election. The AEC seeks to work proactively with both traditional and digital media as part of our educative approach towards obligations under the Electoral Act. Wherever possible, we work to enable traditional and digital media to provide accurate information about the voting process.

While the AEC has no role to play in regulating truth in political communication, it is our responsibility to ensure that electoral communications are correctly authorised and do not mislead or deceive voters about the act of casting a vote. The AEC takes this responsibility seriously and addresses this in various ways, including ensuring that our staff delivering public communications initiatives are prepared to appropriately respond to AI use, expanding programs such as our 'Stop and Consider' campaign, and continued engagement with technology companies to support an understanding of the AEC's responsibilities and the Australian information environment, including where it relates to the potential impacts of AI. For the 2025FE, there were limited regulatory tools that the AEC could use to specifically address harms to electoral integrity from the use of AI. There may be scope for the Code to consider its role in addressing harms to electoral integrity through AI.

Beyond government, there is a need for sustained industry efforts to promote digital literacy and increase voter resilience against misinformation and disinformation. The AEC strongly encourages industry and partners to continue considering ways to increase resilience to misinformation and disinformation, including through digital literacy initiatives and pre-bunking, as well as proactive moderation of individual cases of misleading and deceptive content when they do occur.

The AEC supports DIGI's proposal to engage with influencers in responsible information practices, with an understanding of the important role that influencers, alongside traditional media, play in the digital landscape.

Issue 3: Can the complaints handling process be improved?

The AEC notes that particularly in proximity to electoral events, it is crucial for signatories to work proactively to ensure that Australians have access to accurate information about participating in the election. The AEC supports the strengthening of the complaints process and encourages transparent and regular reporting on outcomes, including clear timelines, reporting obligations, and appeals mechanisms. Improved public awareness and accessibility of the complaints process for users would enable better and more relevant uptake of this offering under the Code. This could include development of a referral pathway in circumstances where DIGI receives a complaint that is relevant to electoral matters within the AEC's remit.

Where there is a lack of transparency, timeliness, and consistency across platforms in content referrals processes, a robust and transparent escalation pathway would be valuable. This is particularly relevant for cases where misinformation or disinformation is time-sensitive and may pose either a safety risk or could disenfranchise voters.

The AEC already works directly with the platforms to assist them in understanding their responsibilities under the Electoral Act. The AEC can liaise with DIGI as part of the agency's broader educative approach on requirements for electoral communications, where this may support DIGI in strengthening the complaints process under the Code.

Issue 4: The role, membership and remit of the Administration Committee in overseeing the Code in the light of emerging best practice approaches for advisory committees.

In the lead up to federal electoral events, the Administration Committee may consider including electoral matters on their agenda, where this relates to signatories and the Code. Following a federal electoral event, there would be value in an agenda item that provides an opportunity for the AEC to provide observations related to the Code and/or the Administration Committee may wish to consider providing an annual invitation to members of the Electoral Council of Australia and New Zealand (ECANZ) to engage directly with the Committee.

Given the significance of democratic processes, the Administration Committee may wish to work directly with the AEC, members of ECANZ and academic experts in elections in the lead-up to elections. Academic research into the impact of misinformation and disinformation on Australian civic literacy and democratic participation may offer valuable insights.