Australian Capital Territory

Government Agencies (Campaign Advertising) Guidelines 2026 (No 1)

Disallowable instrument DI2026-237

made under the

***Government Agencies (Campaign Advertising) Act 2009*, s 17 (Minister must make guidelines)**

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1 Name of instrument

This instrument is the *Government Agencies (Campaign Advertising) Guidelines 2026 (No 1)*.

2 Commencement

This instrument commences on the day after it is notified.

3 Guidelines

I make the Guidelines attached to this instrument.

4 Revocation

The *Government Agencies (Campaign Advertising) Guidelines 2010 (No 1)* DI2010-134 are revoked.

Andrew Barr
Chief Minister
9 November 2026

Government Agencies (Campaign Advertising) Guidelines 2026 (No 1)

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Introduction

1. Governments use public funds for information programs and education campaigns to explain government policies, programs and services which affect their entitlements, rights and obligations. Appropriate advertising and promotion is an integral part of the communication activities undertaken by Government Agencies.

2. These Guidelines provide guidance on the implementation of the *Government Agencies (Campaign Advertising) Act 2009* (the Act). They provide the basic principles that should be observed by all ACT Government directorates agencies and territory-owned corporations in the planning, development and delivery of Government advertising and promotion, as stipulated by the Act.

3. ACT Government advertising and promotion campaigns with expenditure in excess of $40,000 must be reviewed by an independent expert, the Campaign Advertising Reviewer (the Reviewer) who will table a report bi-annually to the Legislative Assembly on the proposed campaigns' compliance with these Guidelines.

4. Once a campaign has reached the $40,000 threshold, further iterations or variations of the same campaign continue to be subject to Independent Review, to ensure compliance with the broader application of the Act.

5. A Minister or Chief Executive responsible for a campaign with expenditure of $40,000 or less may ask the Reviewer to review that campaign's compliance with these Guidelines where the campaign is of a sensitive nature or the Minister or Chief Executive considers that such a review is appropriate.

6. The Chief Minister, Treasury and Economic Development Directorate, as the central agency, is responsible for the application and operation of these Guidelines and for providing advice and a framework to directorates and agencies which may be considering conducting advertising and promotion campaigns.

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

General Principles

7. The use of public funds for ACT Government communications (advertising and promotion) should be governed by the principles that:

   (a) the ACT community has e the right to access information about government policies, programs and services;

   (b) public funds may legitimately be used for information programs, education campaigns and community consultation that seeks feedback, or to explain the Government's policies, programs or services which affect the entitlements, rights and obligations of the ACT community ;

   (c) ACT Government advertising and promotion should not be conducted for party political purposes. Something has a party political purpose if:

      I. it is designed to promote the policies, past performance, achievements or intentions of a program or the government with a view to enhancing a political party's reputation rather than informing the public; or

      II. it depicts, names or otherwise identifies a member of the Legislative Assembly, or a candidate or prospective candidate for an election; or

      III. it names or otherwise identifies a registered party or uses the party's brand or something resembling the brand.

   (d) something does not have a *party political purpose* only because of subsection (7c) (I) or (II) if it is —

      I. required to be done under a law applying in the ACT; or

      II. in a report or other document prepared for presentation to the Legislative Assembly.

   (e) the ACT Government has responsibility for ensuring information in all its communications is objective, fair and accessible;

   (f) communications material should be produced and distributed in an efficient, effective and accountable manner with due regard to maximising community access;

   (g) campaign materials should clearly identify the author as the ACT Government; colloquial terms such as 'we', 'our' and 'us' can be used once the author has been clearly identified as the ACT Government;

(h) where images of existing facilities are used to indicate what a future facility might look like, the material must say ‘indicative image of planned facility’ or ‘artist’s impression’;

(i) the ACT Government and Authorities must act in accordance with the Guidelines;

(j) an individual agency is responsible for developing advertising and promotion campaigns which are within its areas of responsibility;

(k) ACT Government advertising and promotion campaigns must comply with all legal requirements; and

(l) the use of ACT public servants in advertising campaigns is permissible on the signing of a release by the public servant whose image and/or voice appears, and must include the a relevant Senior Executive’s approval.

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

Definition of Government Campaign Advertising

8. The subject matter of material to be communicated to the public in ACT Government advertising and promotion campaigns should be directly related to the ACT Government's responsibilities.

9. Only policies or programs underpinned by legislative authority, appropriation of the Legislative Assembly or a Cabinet decision which is intended to be implemented should be the subject of an advertising campaign.

10. Public funds may be used for ACT Government advertising and promotion campaigns in the pursuit of any of the following objectives:

    (a) to maximise compliance with the law;

    (b) to inform the community of new, existing, or amended legislation, policies, programs and services;

    (c) to raise awareness of a planned or new initiative or event;

    (d) to initiate community consultation;

    (e) to promote awareness of rights, responsibilities, duties or entitlements; or

    (g) to encourage social cohesion, civic pride, community spirit, tolerance, or to inform the community about a public policy outcome.

11. For the purpose of these Guidelines, ACT Government campaigns not subject to review as required by the Act include:

    (a) jobs advertising;

    (b) tender advertising;

    (c) public health or safety campaigns, eg. road safety or disease outbreak;

    (d) campaigns that assist in the preservation of order in the event of an emergency or crisis;

    (e) campaigns that help ensure public safety, personal security or that encourage responsible behaviour;

    (f) campaigns that promote the ACT as a tourist destination; and

    (g) routine advertising carried out by agencies in relation to their

operational activities.

12. Advertising and promotion campaigns that cost under $40,000 also do not need to be reviewed, though they can be at the request of the relevant Minister or Chief Executive.

13. Campaign costs include those activities involved in the development, production and dissemination of information to the ACT community about government programs, policies and matters which affect their entitlements, rights, obligations and awareness.

14. Examples of these activities include:

    (a) the use of market research agencies, public relations consultants, advertising agencies and other specialist consultants in the development of such materials;

    (b) the production and dissemination of press, radio, television, cinema and online advertisements, other electronic media, audio-visual and printed material (pamphlets, explanatory booklets, etc).

15. Where the responsible person is uncertain whether the cost of a campaign will exceed $40,000, the campaign should be referred to the Reviewer.

Guideline 1: Relevance of campaign material

(should be read in conjunction with Part 2 - Section 9 and Part 4 - Section 17(3)(a&g) of the Act)

16. Consideration should be given to public information requirements during policy development and program planning.

17. Some examples of suitable uses for ACT Government campaign advertising and promotion include:

    (a) informing the community of new, existing, or amended laws and policies;
    (b) providing information on government programs or services or changes to programs or services which the public can access;

    (c) encouraging usage of, or familiarity with, new or changing government programs or services and public accountability.

18. New initiatives, which have not previously been funded, cannot be the subject of a campaign until the relevant appropriation bill has been passed, unless the campaign is to engage in public consultation or the initiative is the subject of a disallowable instrument.

19. The presentation and delivery of information in an ACT Government advertising and promotion campaign must be clearly identified as an ACT Government campaign. This would include a 'produced by' line on the advertisement.

Guideline 2: Presenting campaign material in an objective, fair and accessible manner

(should be read in conjunction with Part 4 - Section 17(3)(b,d&h) of the Act)

20. All ACT Government campaign material must be presented in an objective, fair, accurate and accessible manner and enable the community to reasonably and easily to distinguish between facts, on the one hand, and comment, opinion and analysis on the other.

21. Where information is presented as a fact, it should be based on accurate, verifiable facts, and expressed in conformity with those facts. No factual claim should be made which cannot be substantiated.

22. Existing policies, programs, services and activities should not be presented as new.

23. The past performance or future outcomes of government should not be mentioned.

24. Where appropriate, special attention should be paid to communicating with vulnerable groups and individuals that are identified as being

within the designated target audience. Particular attention should be given to the communications needs of people with disabilities, young people, older people and those for whom English is not a first language in which to receive information.

Accessibility

The ACT Government is committed to making its information, services, events and venues accessible to as many people as possible.

- Materials, where appropriate, should contain relevant accessibility information for members of the community who require support in accessing information in an alternative way.

- Campaigns and government information should recognise the diversity of the community. Care should be taken that this is not done in a stereotypical way.

- When making government information more accessible, simplified language, such as the use of 'we' can be used, provided the document displays the ACT Government logo and contains a disclaimer to make it clear the author is the ACT Government.

- The target audience should have a convenient means of contacting the ACT Government so that questions, complaints or requests for further information can be dealt with promptly.

Guideline 3: Material should not be directed at promoting party political interests

(should be read in conjunction with Part 2 - Section 11 and Part 4 - Section 17(3)(e&c) of the Act)

25. Public funds should not be used to disseminate information in circumstances where a reasonable person would interpret the information as being given on behalf of a political party, or as directed at influencing public support for a political party rather than as communicating a factual message.

26. Without limiting these circumstances, particular concerns are likely to arise where:

    (a) a registered political party is identified;

    (b) a particular slogan or advertising or promotion technique is used which may be associated with, or resemble the brand of, a political party;

    (c) a political party or similar grouping is being disparaged or held up to

ridicule;

(d) the views, policies and actions of a political party are derided;

(e) members of the ACT Legislative Assembly, or a candidate or prospective candidate for an election, are named, depicted or otherwise identified; and

(f) references or links are made to the websites of members or political parties.

Guideline 4: Avoiding the misuse of public funds

(should be read in conjunction with Part 2 - Section 8, and Part 4 - Section 17(3)(f) of the Act)

27. Advertising and promotional material should be produced and distributed in an efficient, effective and relevant manner, with due regard to accountability. There should be a clear audit trail regarding decision-making.

28. Public funds should not be used on campaigns where:

    (a) the method or medium of communication is manifestly excessive or extravagant in relation to the objective being pursued;

    (b) there is no evidence of value for money; and

    (c) there is no clear line of accountability, appropriate audit procedures or suitable procurement process.

29. Campaigns should be justifiable in terms of community needs. Procurement policies and procedures for tendering, obtaining services and employing consultants must be followed.

Guideline 5: Complying with legal requirements

(should be read in conjunction with Part 4 - Section 17(3)(i) of the Act)

30. ACT Government campaigns and related material, the manner of presentation and the delivery of the campaign must comply with all relevant laws including:

    (a) privacy laws;

    (b) electoral laws;

    (c) broadcasting and media laws;

(d) intellectual property laws;

(e) trade practices and consumer protection laws; and

(f) workplace relations laws.

31. Each advertising and promotion campaign must be certified as complying with the Act and associated guidelines by the *responsible person*.

32. *The responsible person*, for a Government agency, means:

(a) for an administrative unit - the responsible Minister;

(b) for a Territory instrumentality - the Chief Executive Officer;

(c) for a statutory office holder and the staff assisting the statutory office holder - the Statutory Office-holder; and

(d) for a Territory-Owned Corporation - the Chief Executive of the Corporation.

33. In the Act Government agencies means:

(a) an administrative unit; or

(b) a territory instrumentality; or

(c) a statutory office-holder and the staff assisting the statutory office-holder; or

(d) a territory-owned corporation.

34. The Chief Minister, Treasury and Economic Development Directorate can provide advice on which agencies are included in the Act.

35. Agencies subject to the *Financial Management Act* must comply with these guidelines.

Guideline 6: Advertising campaigns in pre-election period

(should be read in conjunction with Part 4 - Section 18 of the Act)

36. The ACT Government or agencies/entities should not undertake campaign advertising when it is in Caretaker mode. However, this does not apply to campaigns undertaken by the Electoral Commissioner aimed at informing the ACT community of their rights and responsibilities and obligations in relation to elections.

37. Advertisements for jobs, tenders or other routine advertising carried out by an agency in relation to its operational activities is still permissible, as are

campaigns related to an emergency, urgent circumstances or other extraordinary circumstance.

38. During the Commonwealth pre-election period, an ACT Government agency must not begin or continue a government campaign about a new or existing program, policy or matter that is wholly or partly funded by the Commonwealth and mentions the Commonwealth funding. A campaign must not depict, name or identify a current member of, or a prospective candidate for, the Senate or the House of Representatives.

The Review Framework

(should be read in conjunction with Part 3 - Sections 12 & 13, Part 4 - Section 14, and Part 5 of the Act)

39. The Chief Minister, Treasury and Economic Development Directorate, as the central agency, is responsible for the application and operation of these Guidelines and for providing initial advice and assistance to directorates and agencies that may be considering conducting advertising campaigns.

40. In addition, an agreed expert individual (the Reviewer) will provide a review of all government campaigns with expenditure in excess of $40,000.

41. The appointment of the Reviewer must be approved by resolution passed by a two thirds majority of the Assembly, and will be appointed for not longer than three years.

42. The Reviewer will:

    (a) review proposed government campaigns over $40,000 to ensure campaigns comply with the Act and Guidelines; and

    (b) report to the relevant Minister on the proposed campaign's compliance with the Act and Guidelines.

43. The Minister or Chief Executive responsible for a campaign with expenditure of $40,000 or less may ask the Reviewer to assess that campaign's compliance with these guidelines where the campaign is of a sensitive nature or the Minister or Chief Executive considers that such a review is appropriate.

44. Once a campaign has reached the $40,000 threshold, further iterations or variations of the same campaign continue to be subject to Independent Review, to ensure compliance with the broader application of the Act.

45. Any review undertaken by the Reviewer is not an audit, but is designed to provide limited assurance through inquiry, observation and analysis of key documents and information that the Guidelines have been adhered to.

46. Final campaign materials must be reviewed by the Reviewer, with the exception of materials translated into other languages or Easy Read and Easy English.

47. The Communications and Engagement Division within the Chief Minister, Treasury and Economic Development Directorate will provide secretariat support to the Reviewer.

48. The Reviewer must prepare a report for the Legislative Assembly in relation

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to government campaigns every six months – for the reporting periods ending on 30 June and 31 December. The reviewer must report within three months after the reporting period. Reporting periods will vary in an election year, with reporting required for the period 1 July to the commencement of the pre-election period, and from the end of the pre-election period to 31 December.

49. The Reviewer must report on:

    (a) whether each proposed campaign was accepted or rejected, and reasons for the decision;

    (b) changes recommended by the Reviewer; and

    (c) the campaign costs, itemised by type of costs incurred such as development, production and advertising/dissemination costs.

50. Government advertising campaigns that do not need to be submitted to the Reviewer for scrutiny include:

    (a) jobs advertising;

    (b) tender advertising;

    (c) public health or safety campaigns, eg. road safety or disease outbreak;

    (d) campaigns that assist in the preservation of order in the event of an emergency or crisis;

    (e) campaigns that help ensure public safety, personal security or encourage responsible behaviour;

    (f) campaigns that promote the ACT as a tourist destination; and

    (g) routine advertising carried out by agencies in relation to their operational activities.