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# Guide for registering a party

Federal registration of political parties

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## Introduction

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Part XI of the [Commonwealth Electoral Act 1918](#) (Electoral Act) deals with the registration of political parties. The Australian Electoral Commission (AEC) maintains the [Register of Political Parties](#) (the Register) and administers the Commonwealth party registration scheme on behalf of the Electoral Commission. The primary function of the scheme is to establish a register of party names, abbreviations and logos that can be printed on ballot papers at elections for the Senate and House of Representatives.

Registration as a federal political party is not compulsory to contest federal elections. Unendorsed (independent) candidates can also nominate for election to the Commonwealth Parliament.

The benefits of registration as a federal political party include:

- the party's registered name, registered abbreviation or registered logo may be printed next to the names of its endorsed candidates and Senate groups on ballot papers
- political parties can have additional registrations for their branches. Each branch registered will need to separately prove its eligibility for registration
- the registered officer or deputy registered officer of a political party can nominate the party's endorsed candidates without requiring the signatures of 100 electors in the particular electorate. 100 electors are required to nominate an unendorsed (independent) candidate
- the registered officer or deputy registered officer of a political party can make a bulk nomination of all the party's House of Representatives candidates in respect of the Divisions situated in a particular State or Territory to the Australian Electoral Officer for that State or Territory, without needing to nominate individually with each Divisional Returning Officer
- election funding for endorsed candidates who receive at least four per cent of the formal first preference votes. The election funding entitlements of candidates who were endorsed by a registered political party are paid through the party agent
- access to information held by the AEC including:
  - electronic copies of the Commonwealth Electoral Roll (Electoral Roll) and additional elector information, plus
  - copies of the printed Electoral Roll voting information in relation to an election.

Applications to register a new political party must include all of the requirements for an application to be accepted by the AEC for assessment (for example, the AEC cannot 'reserve' the name of a political party on behalf of a prospective applicant who has not lodged all of the requirements for a new political party application).

The guides incorporate text boxes to highlight important information.



The 'light bulb' symbol indicates a useful tip.



The 'note' symbol indicates information relating to the Electoral Act.

The *Guide for registering a party* (Guide) is intended to assist people to understand the party registration provisions of Part XI of the Electoral Act. It provides general guidance on the requirements and process for registering a political party.

The [Guide for maintaining party registration](#) provides general guidance on the requirements and process for:

- maintaining party registration
- changing party details and party officers
- deregistration of political parties.

These guides are part of a series of publications to help parties better understand the requirements of the party registration, election funding, and financial disclosure provisions of the Electoral Act.

The guides provide information derived from the Electoral Act as well as from the experience of the AEC in the administration of its provisions.

While these guides are intended to act as user-friendly guides to the requirements of the Electoral Act, they cannot fully address every possible issue that may arise.

Importantly, do not use the guides as a substitute for legal advice on specific detailed compliance, disclosure, and party registration issues. Users are urged to seek their own independent advice where necessary and to read and familiarise themselves with the relevant parts of the Electoral Act.

On 3 September 2021, amendments to the Electoral Act under the [Electoral Legislation Amendment \(Party Registration Integrity\) Act 2021](#), came into effect. For further information see [Party registration guidance](#) on the AEC website and the [Electoral Act](#).

## Eligibility requirements for registration

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A new party must meet the eligibility requirements for political party registration under section 126 of the Electoral Act.

All federally registered political parties must meet the eligibility requirements for political party registration on an ongoing basis. These requirements include:

- being an organisation with an aim of endorsing candidates for election to the Senate and/or House of Representatives
- having:
  - at least 1,500 members who are on the Electoral Roll and who are not also relied upon by another party for registration purposes, or
  - at least one member of the party who is a Senator or Member of the House of Representatives in the Parliament of the Commonwealth and not a member of another party.

### Key elements of an application

A new party applying for registration **must**:

- submit a written constitution
- submit a party name
- set out the party's proposed registered officer
- state whether it wishes to receive election funding
- state the supporting applicants
- submit a \$500 application fee
- And either:
  - a membership list containing at least 1,500 members, or
  - provide supporting evidence from the party's Senator or Member.



A new party applying for registration **may optionally submit** an abbreviation of the party's name and/or a logo.

These submissions must meet the requirements of the Electoral Act. There is a detailed description of the requirements for names, abbreviations and logos later in this Guide.



All forms relating to a new party registration application are shown in **Appendix 1**.

## Register of Political Parties

The AEC maintains the Register. The [Register of Political Parties](#) published on the AEC website contains a list of the registered names of all federally registered political parties and the party details.

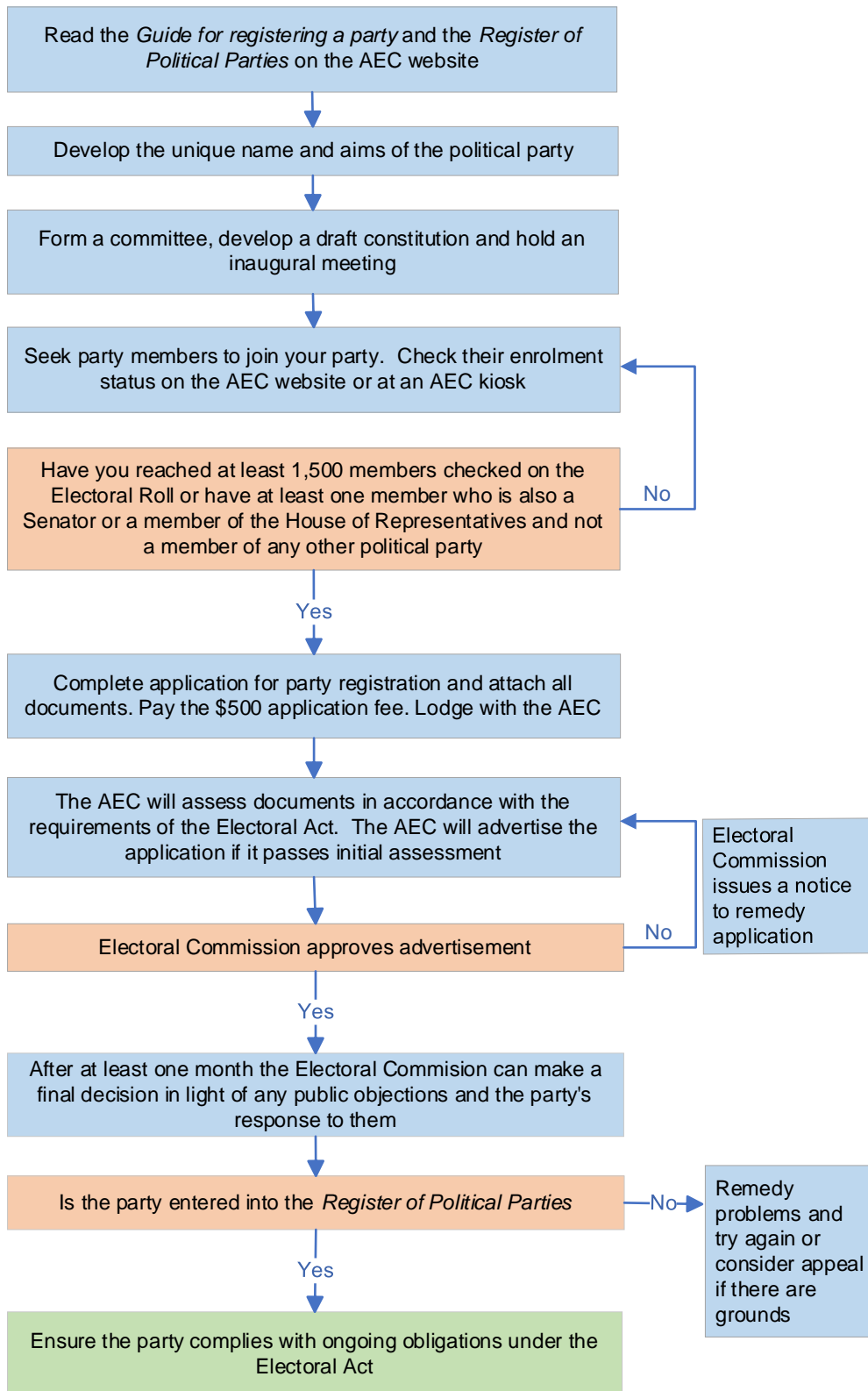
The party details include:

- the party's name
- the party's registered abbreviation (if any)
- the party's registered logo (if any)
- if the party is a Parliamentary party
- if the party is a non-Parliamentary party
- the name and address of the registered officer
- the name(s) of the deputy registered officer(s) (if any)
- the party's correspondence address, and
- whether the party chooses to receive election funding.

It is the responsibility of any registered political party to ensure the information in the Register is up to date and accurate.



# Party registration process



# Party name selection

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## Limitations in choice

Section 129 of the Electoral Act provides that an application will be refused if the party name (or its abbreviation):

- is more than six words long
- is obscene, frivolous or vexatious<sup>1</sup>
- is the same as, or is likely to be confused with, or mistaken for, the name of a 'recognised political party'<sup>2</sup>, unless that other party is a 'related party'<sup>3</sup>
- suggests a relationship or connection with a registered political party if that connection or relationship does not in fact exist
- uses the words 'Independent Party', or the word 'Independent' along with the name, or abbreviation or acronym of the name, of a recognised political party, or in a way that is likely to be confused with the name, abbreviation or acronym of a recognised political party.



The AEC does not reserve names for potential future applicants.

## Names to be registered with consent

A party's name and proposed abbreviation will be refused if:

- it contains a word that is in the registered name or abbreviation of a registered political party; and
- the party's application for registration is not accompanied by written consent from the registered officer of that previously registered political party to the applicant party.

If there is more than one registered political party with the word in its registered name or abbreviation, the written consent needs only to be from the party who was first to register the relevant name or abbreviation.



The consenting party must be the party with the longest continuous registration of that name or abbreviation.

In the situation where a federal branch and a related federally-registered State or Territory branch register a name on the same day, only the registered officer of the federal branch can provide consent to another party using that word.

The need for consent does not apply to a function word, a collective noun for people, the word "country", the name of a country or recognised geographical place in Australia, or the word

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<sup>1</sup> The terms 'frivolous' and 'vexatious' are to be given their ordinary meanings, and are intended to include party names or abbreviations that are nonsensical or are malicious in their application. This would include, for example, an applicant seeking to register 'Australian Electoral Commission', or 'Australian Government' as a political party.

<sup>2</sup> For this part of the Electoral Act, recognised political party means a Commonwealth Parliamentary party, a federally registered political party, or a party that is recognised or registered in a State or Territory and has endorsed a candidate in its current name in that State or Territory in the previous 5 years (subsection 129(2) of the Electoral Act).

<sup>3</sup> A political party is related to another political party if it is part of the same party, for example, one is a branch or division of the other.

“democratic”. The intention is to ensure registered political parties are sufficiently distinct in name, while also providing appropriate exceptions for non-key words.



Read [Party registration guidance](#) to understand section 129 of the Electoral Act and the constraints on the name and abbreviation of a political party that may prevent it from being registered.

The intention of section 129 is to prevent the registration of party names and abbreviations that risk causing voter confusion with existing registered names and abbreviations.

## Registered abbreviation

A party may register an abbreviation of its name, which is a shortened version or an acronym of its full party name. The abbreviation or acronym cannot be a separate or alternate name for the party. A registered abbreviation is simply a shorter version of the party name which can be printed on the ballot papers instead of the full party name.

When choosing the name and abbreviation in the initial application for party registration, the party should consider the ways in which it might want its party name to appear on ballot papers. The registered officer or deputy registered officer can select whether the party name or abbreviation will appear near endorsed candidates’ names on the ballot papers for the Senate and House of Representatives.

## Similarity to names of currently registered parties

The most contentious party names are those that may be too similar to the name of an already registered or recognised party.

- [Similarity to names, abbreviations or logos of currently registered parties](#)

## Party logo selection

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### Limitations in choice

Section 129A of the Electoral Act provides that registration of a logo may be refused if it:

- is obscene
- is the same as, or is likely to be confused with, or mistaken for, the logo of another person<sup>4</sup>
- suggests a relationship or connection with a registered political party if that connection or relationship does not in fact exist
- uses the words ‘Independent Party’, or the word ‘Independent’ and the name of a recognised political party, or abbreviation or acronym of that name, or in a way that is likely to be confused with the name, abbreviation or acronym of a recognised political party.

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<sup>4</sup> ‘Person’ covers a wider range than just political parties, and so includes the logos of other organisations including companies, unincorporated associations and Government bodies.



The inclusion of a logo in an application is optional. The refusal of a logo does not fail the registration of a political party.

## Logos to be registered with consent

A party's proposed logo will be refused if:

- it contains a word that is in the registered name or abbreviation of a registered political party; and
- the party's application for registration is not accompanied by written consent from the registered officer of that previously registered political party to the applicant party.

The intention is to minimise the risk that a voter might be confused or potentially misled in the exercise of their choice at an election due to a political party having a registered logo similar to the registered name or abbreviation of another registered political party.



Read 'Names to be registered with consent' (above), section 129 and section 134A of the Electoral Act to understand the constraints on the name, abbreviation and logo of a political party.

## Format and submission of logo

A party's logo must meet the following requirements as set out in the [Commonwealth Electoral \(Logo Requirements\) Determination 2016](#):

- be a vector graphic in electronic format
- be 100% black in a CMYK (Cyan-Magenta-Yellow-Black) colour space
- be contained within a frame of 10 mm by 10 mm
- be able to be reproduced correctly within a frame of 7 mm by 7 mm
- not include these features:
  - live text
  - transparency or overprinting
  - custom halftone, transfer curve or colour profile settings
- be a PDF file, of less than 5 megabytes, that complies with International Standard ISO 32000-1:2008 as was in force on 22 March 2016.

The logo must be emailed to the AEC at: [fad@aec.gov.au](mailto:fad@aec.gov.au) (the email cannot exceed 30 megabytes).

## Size of logos on ballot papers

When applying for a logo it should be noted that the maximum size for a logo as it appears on the ballot paper is 10 mm by 10 mm:

### Sample logo (10 mm by 10 mm)



A logo must also be able to be reproduced correctly within a frame of 7 mm by 7 mm:

### Sample logo (7 mm by 7 mm)



## Develop a party constitution

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Sections 4 and 123 of the Electoral Act define an eligible political party as an organisation with an object or activity of promoting the election of its endorsed candidates to the Senate and/or House of Representatives. An eligible political party must be established on the basis of a written constitution which sets out the aims of the party, and the party must meet the membership criterion. The membership criterion is at least one member who is a Senator, or a Member of the House of Representatives of the Parliament of the Commonwealth of Australia, or at least 1,500 members who are on the Electoral Roll.



To qualify for registration under the Electoral Act, a political party must have, and lodge as part of its application, a written constitution that establishes it as an organisation - section 123.

While the Electoral Act is not specific about all the matters which must be included in the party constitution, it should include:

- the name of the party
- the aims of the party, which must include that the party intends to stand candidates for Senate and/or House of Representatives elections (must be included in the constitution submitted to the AEC for a new political party application)
- the structure and office bearers of the party, including provisions for electing or appointing those office bearers and describing the duties of the office bearers. These provisions should include details about the administration of the party and the handling of the party's assets such as money
- detailed provisions for obtaining and retaining membership of the party
- the requirements for holding annual general meetings or committee meetings and their conduct
- the means by which the party constitution can be amended
- provisions governing State, Territory or local branches if the party is to comprise a branch structure
- provisions for winding up the party and apportioning its assets.

The Electoral Act does not require a political party to be incorporated or registered as an unincorporated association. Some new parties have advised the AEC, however, that they have been unable to open party bank accounts to receive membership fees or party post office boxes without evidence that the party is a formal entity.



The AEC does not maintain a library of political party constitutions.

## Office bearers

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Parties seeking registration need to appoint the office bearers listed below. Office bearers must be selected in accordance with the terms of the party's constitution.

### Secretary

The Electoral Act requires a party to have an office bearer responsible for the day to day management of the party. In section 123 of the Electoral Act, the position is defined as:

- secretary, in relation to a political party, means the person who holds the office (however described) the duties of which involve responsibility for the carrying out of the administration, and for the conduct of the correspondence, of the party.

Under section 126(1) of the Electoral Act, the secretary is required to be one of the signatories to an application for registration by a non-Parliamentary party.

As the manager of day to day duties, the AEC expects the secretary to be the office bearer who is the party's contact for general election and enrolment matters, appointments of party officials or to notify updates to the contact details for the party or its office bearers.

When the AEC is writing to parties about election and enrolment matters in general, it normally writes to the secretary. An [Appoint Party Secretary](#) form should be completed and lodged with a party's application for registration.

### Registered officer

The registered officer is the party office bearer empowered to:

- nominate the party's endorsed candidates
- select either the party's registered name or the party's registered abbreviation or logo to be printed on ballot papers adjacent to the party's endorsed candidates.

Section 140 of the Electoral Act requires the AEC to send any formal notices about party registration, including reviews of a party's continued eligibility to remain registered, to the party's registered officer.

The name of each party's registered officer is recorded in the *Register of Political Parties*, and therefore the appointment of a registered officer is part of the application for registration. The Electoral Act requires the registered officer must provide a street address that will be published on the AEC website. However, they are not required to give their residential address; the street address of the party's office is sufficient. A post office box is not permitted for this purpose by section 123 of the Electoral Act.

The registered officer of a party may appoint deputy registered officers to assist in the nomination process. To appoint a deputy registered officer the registered officer should complete an [Appoint Deputy Registered Officer](#) form. The registered officer can also revoke the appointments of their deputies.

Section 126(2B) of the Electoral Act provides that a person cannot hold the position of registered officer and/or deputy registered officer for more than one political party. Failure to

resolve any instance where a person holds multiple appointments as a registered officer/deputy registered officer constitutes grounds for the party to be deregistered.

## Party agent

Section 288 of the Electoral Act provides that registered parties and their State or Territory branches shall appoint a party agent. The appointment of an agent must meet the following conditions:

- (a) the person appointed is at least 18 years old
- (b) written notice of the appointment is given to the Electoral Commission
- (c) the name, full street address and suburb or locality of the person appointed are set out in the notice
- (d) the person appointed:
  - i. has signed a form of consent to the appointment; and
  - ii. has signed a declaration that he or she is eligible for appointment.

A party agent must not have been convicted of an offence against the funding and disclosure provisions of the Electoral Act.

Party agents have significant financial obligations under the Electoral Act in relation to lodging financial disclosures and compliance. A breach of these obligations may be subject to civil penalties. Information regarding the responsibilities of a party agent can be found in the [Financial Disclosure Guide for Political Parties](#) available on the AEC's website.

Election funding is paid through the party agent. If no current party agent is appointed, no election funding can be paid or claimed even if some of the party's endorsed candidates meet the four per cent formal first preference threshold.

An [Appoint Party Agent](#) form should be completed and lodged with the party's registration application.

## Party membership

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The Electoral Act provides for two types of political parties which may be registered.

### Parliamentary parties

Parliamentary parties are political parties which have at least one member who is also a Senator or a Member of the House of Representatives. While a Parliamentary party must be an organisation, it does not need to provide the AEC a membership list to attain registration. One member who is also a Senator or a Member of the House of Representatives (and not a member of any other political party) qualifies the party against the membership criterion.

If a new political party is seeking registration as a Parliamentary party, it needs to lodge a declaration signed by a Senator or Member of the House of Representatives, on their parliamentary letterhead, stating that they are a member of the party and not a member of any other registered political party.

## Non-Parliamentary parties

Most new political parties seeking registration are non-Parliamentary parties and need to prove that they have at least 1,500 members who are on the Electoral Roll.

The party needs to lodge a [membership list](#) of between 1,500 and 1,650 members as part of its application. The membership list needs to contain each member's full name, residential address and date of birth as it appears on the Electoral Roll. To allow the processing of a party's application to proceed quickly, email and telephone contacts should be included for each member. Failure to provide comprehensive contact details for members may delay processing the application.

Party members used to support the application must be listed on the Electoral Roll. The party can check the enrolment of each member in the membership list by using the [check my electoral enrolment facility](#) on the AEC website. The Electoral Roll can also be viewed in electronic form at AEC offices.



It can save a party several weeks in delays if the party does its own check of its members' electoral enrolment online or at an AEC office.

The AEC requires a party to choose a maximum of 1,650 members for the membership list included with their application. The AEC will return a membership list in excess of 1,650 members and ask the party to lodge the membership list with between 1,500 and 1,650 members.

**Appendix 2** details the membership testing process.

The Electoral Act does not require the party to charge its members a membership fee. This decision is left to the discretion of the party.

## Completing the application

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### Application form

To register a party, an [Application for registration of a Parliamentary party](#) or an [Application for registration of a non-Parliamentary party](#) form (as appropriate) should be completed. All parts of the respective form should be completed to avoid delays in processing the application. The form contains a checklist to help ensure documentation is complete before submitting to the AEC.

The application form must contain:

- the proposed name of the party
- whether the party wishes to register an abbreviation of that name if the party wishes to use a shorter name on ballot papers
- whether the party wishes to register a logo (and include a proposed logo that meets the requirements as set out in the [Commonwealth Electoral \(Logo Requirements\) Determination 2016](#)).
- contact details for the party office such as website, phone number, street address, postal address, fax number and email address
- whether the party is a branch or part of another registered party
- whether the party wishes to receive election funding if its endorsed candidates receive at



- least four per cent of the first preference vote
- the name, street address and signature of the proposed registered officer of the party (the street address does not have to be a residential address as it will be published on the AEC's website, and may be the street address for the party's office)
- the details and signature of the secretary of the party
- the name, street address, party position and signature of nine other members of the party (not required for a Parliamentary party)
- either:
  - an electronic membership list containing at least 1,500 members (non-Parliamentary party) or
  - supporting evidence from a Senator or Member of the House of Representatives (Parliamentary party)
- completed appoint Party Secretary form
- completed appoint Party Agent form
- evidence of the payment of the \$500 application fee.



All forms relating to a new party registration application are shown in **Appendix 1**.

## Application fee

Each application to register a political party must be accompanied by a fee of \$500. This fee can be paid by direct deposit to:

BSB: 092-009  
Account: 113554  
Bank: Reserve Bank of Australia  
Branch: Canberra ACT

Please ensure that the funds transfer is clearly described.

If paying by cheque, it should be made payable to The Collector of Public Monies, Australian Electoral Commission.

## Lodge the application

The application and its supporting documentation can be sent via email to [fad@aec.gov.au](mailto:fad@aec.gov.au) or

Funding and Disclosure  
Australian Electoral Commission  
Locked Bag 4007  
CANBERRA ACT 2601



Please use the checklist on the application form to ensure you lodge all the required documents.

# Processing an application

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## Acknowledgement

The AEC will write to the applicant to acknowledge receipt of the application and enclose a receipt for the application fee. The letter will also advise of the process of applying for registration and potential time frames and next steps.

## Initial assessment

The AEC will examine the application against all the requirements of the Electoral Act. That is, the AEC will test for evidence that:

- the party is an organisation, established on the basis of a written constitution that sets out the aims of the party, including that the party intends to promote the election to the Senate and/or House of Representatives of candidates endorsed by it
- the name of the party and any abbreviation sought are not prohibited
- any logo sought is not prohibited and has been provided in a format that conforms to technical requirements as set out in the [Commonwealth Electoral \(Logo Requirements\) Determination 2016](#).
- the application is made by the secretary of the party or a current Senator or Member of the House of Representatives in the Parliament of the Commonwealth for a Parliamentary party, or in the case of a non-Parliamentary party the secretary, and a further nine members
- the application form is complete with all the details and the attachments required under the Electoral Act, including office bearer appointments
- at least 1,500 of the members provided to support the party's registration can be found on the Electoral Roll.



If there are apparent problems with an application that might require the AEC to refuse it when the initial assessment is complete, section 131 of the Electoral Act provides for the Electoral Commission to issue a formal notice to the party, giving it an opportunity to vary the application.

The party can vary the application so that the AEC is able to proceed with advertising it, or request that the Electoral Commission determine the application in its current form. If the application is not amended, it is likely the Electoral Commission will refuse to register the party.

If the application passes its initial assessment, the AEC will advertise the party's application as required by section 132 of the Electoral Act.

## Publication Australia-wide

When the Electoral Commission is satisfied that the party's application is in order, it must advertise the application in accordance with section 132 of the Electoral Act on the AEC website and in newspapers circulating generally in each State and Territory. The advertisement will give any person or organisation an opportunity to object to the registration of the party.

Objections are considered only on the following grounds:

- that the application does not relate to an eligible political party (as defined in sections 4 and 123 of the Electoral Act)
- that the application does not accord with all the requirements set out under the Electoral Act (as outlined in section 126 of the Electoral Act)
- that the name or abbreviation of the party is prohibited under section 129 of the Electoral Act
- that the logo is prohibited under section 129A of the Electoral Act.

The advertisement provides a period of one month in which any person or organisation can lodge an objection. If an objection meets the grounds set out above, the AEC will forward it to the proposed registered officer of the party so that the party can respond to the objection, should they choose to do so. Redacted copies of the objection and any response from the applicant party are made available on the AEC website.

## Final determination – decision and Statement of Reasons

The application, any objections lodged and any response to those objections from the party are then put to a delegate of the Electoral Commission who will make a final determination on the application. The AEC will advise the registered officer of the party of the final decision and provide a copy of a Statement of Reasons for the decision. The Statement of Reasons is also published on the AEC website. The Electoral Act provides appeal rights in relation to party registration decisions. See “Appeals” later in this Guide.

If the party has been registered, the AEC will provide the registered officer with a copy of the party’s entry in the Register and relevant information for newly registered political parties. The AEC will also update the copy of the Register on the AEC website to include the new party.

## How long will the process take?

The minimum timeframe to process an application for party registration is three months.

The stages of assessment being:

<b>Initial Assessment</b>	expected to take a minimum of five weeks
<b>Delegate consideration and advertising</b>	expected to take a minimum of two weeks
<b>Public consideration period</b>	a minimum of one month*
<b>Final assessment</b>	a minimum of one week**

\*Timeframe prescribed under section 132 of the Electoral Act.

\*\*Should written particulars be received objecting to an application, the final assessment timeframe is expected to be longer than one week.

## No action during an election

Section 127 of the Electoral Act provides that “no action shall be taken in relation to any application for the registration of a political party” in the period commencing on the day of the issue of a writ for a federal election and finishing on the day of the return of that writ. That means that the processing of applications is suspended on the issue of a writ for a federal election (including a by-election) and can recommence only after that writ is returned.



Section 127 of the Electoral Act provides that the AEC shall take no action in relation to an application for registration, during the period commencing on the day of the issue of a writ for a federal election and finishing on the day of the return of that writ.

## Registered State or Territory branches



Section 130 of the Electoral Act provides that the Electoral Commission may register an eligible political party that is related to a political party.

Often a political party may establish branches or divisions in one or more states or territories and want to separately register those branches or divisions. Registration of a branch would follow the same process as applying to register a party outlined in this Guide. The application to register a branch includes that it must be established in accordance with a written constitution, have at least 1,500 members (non-Parliamentary), appoint office bearers and use the appropriate form:

- [Application for registration of a Parliamentary party, or](#)
- [Application for registration of a non-Parliamentary party.](#)

## Recognised State or Territory branches

An alternative to the registration of a branch is applying for branch recognition. A registered political party may approach the AEC to request that it recognise a State or Territory branch.

In determining whether to recognise a State or Territory branch, the AEC relies on the definition of State branch in Part XX of the Electoral Act.



Section 287(1) of the Electoral Act defines a State branch, in relation to a political party, means a branch or division of the party that is organised on the basis of a particular State or Territory.

The AEC must be satisfied that the branch or division is organised on the basis of a particular State or Territory. The type of evidence the AEC would consider when making a determination would include:

- details of the establishment of the branch including the inaugural meeting minutes
- details of the current office bearers and their most recent appointment or election
- a copy of the constitution of the branch
- details of the activities of the branch, its website, the way it services the members in that State or Territory
- the level of ongoing financial activity along with copies of statements from the branch's bank accounts
- any further evidence that might show that the branch should be recognised, such as registration with the electoral commission in that State or Territory, or other evidence of the membership of the branch.

If the AEC formally recognises a State or Territory branch of a registered political party, the branch is required to appoint a secretary and party agent. The party agent is required to lodge financial disclosure returns for the recognised branch.

The recognised branch is entitled to have access to Electoral Roll data.



Section 90B of the Electoral Act governs the provision of information on the Electoral Roll for the State or Territory in which a recognised branch of a political party is organised.

## Obligations of registered political parties

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### Financial disclosure obligation under the Electoral Act

The AEC provides publications designed to assist political parties with financial disclosure obligations under the Electoral Act.

The [Financial Disclosure Guide for Political Parties](#) assists political parties to understand their financial disclosure obligations under the provisions of Part XX of the Electoral Act.

Political parties registered with the AEC and their state or territory branches are required to lodge an annual Political Party Disclosure Return by 20 October each year.

For the purposes of disclosure, organised state or territory branches of registered political parties are treated as being separate to the registered party and must complete their own annual return form.

### Recognised branches

Where a registered political party has State or Territory branches which are separately recognised by the AEC, these State or Territory branches must lodge a separate annual financial disclosure return covering the operation of the party in their State or Territory.

### Date for public inspection of annual returns

Annual returns are made available for public inspection on the first working day of February each year.

Returns can be seen on the [Transparency Register](#) on the AEC website.

## Election funding

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After each federal election or by-election, the AEC distributes money to eligible political parties, candidates and Senate groups to reimburse them for electoral expenditure. Payment of election funding is included in Division 3 of Part XX of the Electoral Act.

The AEC publishes on its website the [Election Funding Guide](#) which is intended to assist eligible political parties, candidates and Senate groups to access election funding. It does not address the whole of the Electoral Act. Users should familiarise themselves with the relevant part of the Electoral Act and seek independent legal advice where necessary.

The Electoral Act and all guides published by the AEC are available at [www.aec.gov.au](http://www.aec.gov.au).

# Appeals

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Section 141 of the Electoral Act provides for the review of certain decisions of the Electoral Commission, or of a delegate of the Electoral Commission.

Section 141(2) provides that where a delegate of the Electoral Commission makes a reviewable decision, a person affected by the decision, who is dissatisfied with the decision may, within the period of 28 days after the day on which the decision first comes to the notice of the person, or within such further period as the Electoral Commission (being the three Commissioners of the AEC) allows, make a written application to the Electoral Commission to have the decision reviewed.

A reviewable decision means a decision of the Electoral Commission, or of a delegate of the Electoral Commission:

- to register a political party; or
- to refuse an application for the registration of a political party; or
- to enter a logo of a political party in the [Register of Political Parties](#); or
- to refuse to enter a logo of a political party in the [Register of Political Parties](#); or
- to grant an application under section 134(1) to change the [Register of Political Parties](#); or
- to refuse an application under section 134; or
- to uphold an objection under section 134A(1) relating to the continued use of a name by a political party; or
- to refuse to uphold an objection under section 134A(1); or
- to deregister a political party under section 137(6).

An application for review must include the person's name, street address and the reasons why the decision should be overturned.

Section 141(5) of the Electoral Act provides that an application may be made to the Administrative Appeals Tribunal (the Tribunal) for review of a reviewable decision made by the Electoral Commission or a decision under section 141(2) or section 141(4). An application to the Tribunal can be made under the provisions of the *Administrative Appeals Tribunal Act 1975*. Further information is available on the Tribunal's website at [www.aat.gov.au](http://www.aat.gov.au).

When the Electoral Commission makes a reviewable decision, it must advise all interested parties of their review rights as set out above.

## Appendix 1 - Forms relating to a new party registration

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The following forms are available on the AEC website at [www.aec.gov.au](http://www.aec.gov.au).

For the registration of a new party:

- Application for registration of a non-Parliamentary party [PDF 111KB] | [RTF 1.1MB]
- Application for registration of a Parliamentary party [PDF 110KB] | [RTF 1.1MB]
- Appoint Party Secretary [PDF 95KB] | [RTF 986KB]
- Secretary's statutory declaration [PDF 79KB] | [RTF 234KB]
- Sample membership spreadsheet [XLS 34KB]
- Appoint Party Agent [PDF 92KB] | [RTF 418KB]
- Lodging a written submission under s.131 (3) – non-Parliamentary party [PDF 94KB] | [RTF 638KB]
- Lodging a written submission under s.131 (3) – Parliamentary party [PDF 94KB] | [RTF 638KB]



See the AEC website for further information about [maintaining the registration of a party](#).

## Appendix 2 - Membership testing

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### Membership testing process

When a membership list is submitted to the AEC to support either registration or a review, the following steps are taken:

1. The membership list is checked to confirm that it contains between 1,500 and 1,650 names.
2. The membership list is checked against the Electoral Roll through an automated process. Party members will fall into the following three categories: matched to one; matched to many; or no match.
3. The names in the categories 'matched to many' and 'no match' are individually checked against the Electoral Roll. These members now fall into one of four categories: matched to the Electoral Roll; deceased; not currently enrolled to vote; or not found on the roll.
4. **Unique members** – Two or more parties cannot rely on the same members for the purpose of registration or continued registration. The names of party members matched to the Electoral Roll in both stages of testing are then compared to membership lists of other registered political parties to identify any cross-party duplicates. Duplicates are removed from the membership list.
5. **Less than 1,500** – If after this verification process the membership list does not contain 1,500 names, the party will be issued with a Notice to vary or review its application.
6. **1,500 or more** – If after this verification process is completed, the membership list contains between 1,500 and 1,650 names of electors, the second phase of testing commences.
7. **Random testing** – The membership list is now randomised using an excel function. The size of the random sample is determined by the number of members on the list after steps 2 to 4 are completed.
8. Party members are contacted starting from the top of the randomised list. In the first instance emails are sent to those members with an email address. If no response is received after 24-48 hours the member will be contacted via phone.
9. Contact is attempted on three separate occasions. If after the third attempt the member is still uncontactable they are deemed a non-response (**not a denial**) and the next consecutive person on the list is contacted. Phone contact is continued in this way until the required number of contacts is reached.



## Membership testing table

To determine whether a political party meets the requirements of the Electoral Act relating to number of members, the AEC as part of party membership testing will contact a random sample of 18-60 members. The determination of the sample size is based on advice from the Australian Bureau of Statistics (ABS). Dependent on the actual sample size, and to allow the Electoral Commission to be confident that a political party meets the requirements, a certain percentage of members must confirm their membership when contacted by the AEC.

Based on a recommendation from the ABS a political party is permitted a number of denials, before the Electoral Commission would determine that the political party does not meet the number of members required for registration under the Electoral Act.

<b>Members lodged</b>	<b>Random sample size</b>	<b>Maximum denials to pass</b>
1,500	18	0
1,506	27	1
1,523	33	2
1,543	38	3
1,562	42	4
1,582	46	5
1,599	50	6
1,616	53	7
1,633	57	8
1,647	60	9
1,650	60	9