

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
SUPPLEMENTARY BUDGET ESTIMATES 2014-15

Finance Portfolio

Department/Agency: Australian Electoral Commission

Outcome/Program: General

Topic: Rate of prosecutions

Senator: Rhiannon

Question reference number: F158

Type of question: Hansard, F&PA Committee, Page 103, 20 November 2014

Date set by the committee for the return of answer: Wednesday, 31 December 2014

Number of pages: 1

Question:

Senator RHIANNON: I will ask it again. Thank you for correcting it, Chair. Is the low rate of prosecutions that we are aware of due in part to the relatively weak penalties for offences under the Electoral Act?

...

Ms Halton: Senator Rhiannon, one of the things the officers might be able to do for you, obviously on notice, is give you the data on the number of prosecutions. If you wish to form an opinion based on the data, that is absolutely entirely up to you. I am sure the officers would be very happy to oblige in giving you the facts upon which you may indeed form an opinion

Answer:

The AEC has had two instances where a candidate has been found guilty of the offence of failure to furnish a return and on both occasions the court dismissed it without proceeding to conviction in recent history.