

**Senate Finance and Public Administration Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
**SUPPLEMENTARY BUDGET ESTIMATES 2015-16**

Finance Portfolio  
20 October 2015

**Department/Agency:** Australian Electoral Commission

**Outcome/Program:** General

**Topic:** Foundation 51 – AEC’s assistance and re-opening of investigation into possible breaches electoral laws

**Senator:** Wong

**Question reference number:** F59

**Type of question:** Written

**Date set by the committee for the return of answer:** Friday, 4 December 2015

**Number of pages:** 1

**Question:**

With reference to the media statement issued by the Northern Territory Police on 21 October 2015 titled “Foundation 51: Investigation Concluded” in which the Northern Territory Police advised that a brief of evidence was provided to the Northern Territory Director of Public Prosecutions who determined that, “notwithstanding a prima facie case and reasonable prospect of conviction”, it is not in the public interest to commence a prosecution against Foundation 51, an associated entity of the Country Liberal Party:

1. Did the Australian Electoral Commission provide any assistance to the Northern Territory Electoral Commission or the Northern Territory Director of Public Prosecutions in relation to this matter.
2. Given that a prima facie case and a reasonable prospect of conviction for breaches of electoral laws was established by the Northern Territory Director of Public Prosecutions, has the Australian Electoral Commission re-opened its investigation of complaints of possible breaches of federal electoral laws by Foundation 51.

**Answer:**

1. No.
2. No. The Australian Electoral Commission regards non-compliance with the *Commonwealth Electoral Act 1918* (the Act) as a serious matter and will take appropriate action in respect of such breaches to maintain public confidence in the electoral system. The primary objective of Part XX of the Act is to achieve disclosure and that has been achieved in relation to Foundation 51 Pty Ltd.