

**Senate Finance and Public Administration Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
**SUPPLEMENTARY BUDGET ESTIMATES 2016-17**

Finance Portfolio  
18 October 2016

**Department/Agency:** Australian Electoral Commission  
**Outcome/Program:** General  
**Topic:** Donation to the CFMEU

**Senator:** Abetz

**Question reference number:** F48

**Type of question:** Hansard Proof, F&PA Committee, Page 116, 18 October 2016

**Date set by the committee for the return of answer:** Friday, 2 December 2016

**Number of pages:** 2

**Question:**

**Senator ABETZ:** I have one very brief bracket of questions about an intriguing issue which saw the CFMEU reporting, in its annual disclosure, that a former Tasmanian television reporter Wendy Kennedy donated \$850,000 to the CFMEU. ...

I am wondering whether the AEC is aware of this matter and whether it undertook any investigation as to how somebody's name and full address could have been put into such a document and, one assumes, signed.

...

**Mr Rogers:** I think I am aware of the issue. I think I remember it from earlier in the year. I am just trying to remember the outcome. I wonder if Mr Pirani might know.

**Mr Pirani:** I would prefer to take it on notice, but I certainly do have a recollection of the events.

**Mr Rogers:** I think, from memory, she denied it.

**Senator ABETZ:** Yes. I think the CFMEU have acknowledged that she was not the donor of \$850,000 to the CFMEU.

**Mr Rogers:** We will take that on notice. I do remember the case, and I think she totally denied any involvement in the issue, from memory.

**Senator ABETZ:** I do not think there is any suggestion that Ms Kennedy did. The reason I ask is: does the AEC look at some of these cases to see if the names that are presented are actually correct? I assume the document on which her name appeared must have been signed off by somebody—

**Mr Rogers:** And then submitted to us as a signed document. We will take it on notice. I do remember the case, but I do not have the outcome in front of me.

**Answer:**

In February 2015, Ms Wendy Anne Kennedy raised concerns through the media that she had been named as a donor in the 2014-15 Associated Entity Disclosure return for the CFMEU General Division Vic/Tas Branch (the Union). Ms Kennedy claimed to have had no contact

with the Union. The line item for \$847,623 was classified by the Union in their return as an 'other receipt' not a donation.

The Union investigated the matter and provided advice to the AEC that an amendment was required to correct an administrative error. Ms Kennedy had purchased a car from the Union's fleet and the details of this purchase were transposed in error during the preparation of the return.

Under s. 319A(1) of the *Commonwealth Electoral Act 1918* (Electoral Act), the Electoral Commissioner can accept an amendment to correct an error or defect in a return. The Union corrected their error as soon as they became aware of it by lodging an amended return, acquitting their obligation under the Electoral Act.