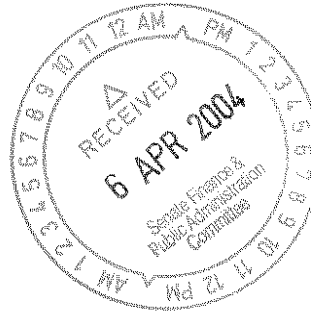




Electoral Commissioner



West Block
Parkes ACT 2600

PO Box E201
Kingston ACT 2604

Telephone (02) 6271 4400
Facsimile (02) 6271 4554

Alistair Sands
Secretary
Senate Finance and Public Administration Legislation Committee
Parliament House
CANBERRA ACT 2600

Dear Mr Sands

At the November 2003 and February 2004 Additional Estimates hearings of the Finance and Public Administration Legislation Committee, the Australian Electoral Commission (AEC) was questioned with respect to current AEC inquiries regarding the Australians for Honest Politics Trust (the Trust). For the Committee's information, the AEC maintains its position that it is unable to disclose to the Committee the current issues before the AEC which may lead to prosecution under the *Commonwealth Electoral Act 1918*.

However, the AEC has received a number of applications under the *Freedom of Information Act 1982* for access to documents relating to the decision by the AEC in 1998/99 that the Trust was not an associated entity under the Electoral Act. Based on legal advice, the AEC is releasing documents relating to the Trust, the majority of which comprise correspondence already in the public domain.

The AEC would be happy to provide copies of documents of interest to Committee members upon request. An index of the released documents is attached. Please contact Ms Helen Monten, Director, Parliamentary and Ministerial Section, on 02 6271 4480 or by email at helen.monten@aec.gov.au for further information.

Yours sincerely

Andy Becker

02 April 2004

LIST OF DOCUMENTS RELEASED UNDER *FREEDOM OF INFORMATION ACT 1982* – AUSTRALIANS FOR HONEST POLITICS TRUST

DATE	DETAILS
18/9/98	Letter AEC to T Abbott advising that, on basis of report in Courier Mail 1/9/98, trust fund may be associated entity and requesting response if considers is associated entity.
20/10/98	Original letter T Abbott to AEC explaining purpose for establishment of Australians for Politics Trust and providing reasons why he believes Trust not associated entity.
10/6/99	Letter AEC to T Abbott MP advising him that Australian for Honest Politics not associated entity.
01/09/1998	Courier Mail article entitled <i>Liberal MP admits role in opposing One Nation</i>
17/09/1998	Preliminary draft of letter to T Abbott re potential disclosure obligations
17/09/1998	Copy of section 315 of the Electoral Act
17/09/1998	Letter from AEC to T Abbott MP re status of trust
20/10/1998	Response by T Abbott to AEC's letter of 17/09/98
20/10/1998	Fax from T Abbott to AEC
	Copy of response by T Abbott to AEC's letter of 17/09/98
	Fax cover sheet from T Abbott to AEC
19/03/1999	Fax cover sheet from AEC to an external person [<i>not obvious which organisation the person represents</i>] referring to a newspaper article
18/09/1998	Unsigned copy of letter from AEC to T Abbott re status of trust
03/09/1998	Newspaper article from the Australian 03/09/1998 – page 4 entitled "Hanson finally gets poll funds"
20/10/1998	A copy of response by T Abbott to AEC's letter of 17/09/98
10/06/1999	Letter from AEC to T Abbott re status of trust

04/11/1998	Letter from T Sharples to T Abbott referring to previous correspondence and meetings
11/07/1998	Hand written letter from T Abbott to T Sharples re legal costs
Undated	Memo deciphering hand written letter from T Abbott to T Sharples re legal costs
03/05/2001	Letter from AEC to T Abbott re status of trust
21/05/2001	A letter from T Abbott to the AEC – trust was wound up in July 2000
27/08/2003	Email to AEC forwarding copy of email from DEWR to AEC on behalf of Special Minister of State, requesting a copy of AEC's letter to T Abbott dated 20/10/1998.
27/08/2003	Letter from T Abbott's office (signed by Chief of Staff) seeking copy of AEC's letter to T Abbott dated 20/10/1998.
30/05/2003	AEC response to question asked by J Faulkner at Senate Estimates Hearing This document appears to be an attachment to the brief in Ministerial Brief attaching AEC letter to T Abbott dated 10 June 1999. <i>[this document incorrectly refers to page F&PA 398 this should be F&PA549]</i>
28/08/2003	Ministerial Brief attaching AEC letter to T Abbott dated 10 June 1999
26/08/2003	Letter from J Faulkner to Electoral Commissioner regarding questions raised at Senate Estimates Committee
28/08/2003	Letter from Electoral Commissioner to J Faulkner.
26/08/2003	Original of earlier faxed letter from J Faulkner to Electoral Commissioner
27/06/2002	Returns for Glaxo Smith Kline from AEC website
	dictionary definition of 'benefit'
	Courier Mail article page 2 on 24/04/2002 entitled 'MP Abbott dobbled in Hanson, court told'

	<i>The Age</i> article page 9 on 24/04/2002 entitled 'Detective denies political push'
	<i>Canberra Times</i> article page 9 on 24/04/2002 entitled 'No pressure to probe Hanson'
	<i>Townsville Bulletin</i> article page 14 entitled 'No interference – Detective denies political pressure'
	<i>Queensland Times</i> (Ipswich) article page 7 entitled 'Abbott tips off Hanson check-up'
	<i>Cairns Post</i> article page 11 entitled 'No pressure for probe'
	Hansard - Senate Finance and Public Administration Committee - 30/5/02 pages 397 and 398
Undated	Copy of newspaper article by M Seccombe (which paper and page not annotated) entitled 'Abbott set up slush fund to ruin Hanson'
26/08/2003	Internal email regarding media enquiry in relation to Senate Estimates Questions
26/08/2003	Internal email regarding media enquiry
26/08/2003	Internal email regarding possible Ministerial Brief
26/08/2003	Internal email regarding media enquiry
26/08/2003	Internal email regarding media enquiry
26/08/2003	Internal email regarding media enquiry
26/08/2003	Copy internal email regarding media enquiry
26/08/2003	Internal email regarding AEC response to the letter from T Abbott dated 20/10/1998
26/08/2003	Internal email further to internal email regarding media enquiry
27/08/2003	Internal email to AEC Executive from Assistant Commissioner Information Branch
01/09/2003	Internal email attaching media alert from Media Monitors
03/09/2003	Copy of article by M Kingston – attachment to letter from J Faulkner replying to the Electoral Commissioner's letter of 26/8/03.

04/09/2003	Letter from J Faulkner replying to the Electoral Commissioner's letter of 26/8/03.
3/9/03	Facsimile member of public to T Morling explaining why she believes Australians for Honest Politics Trust to be a related entity of Liberal Party.
15/9/03	Letter AEC to member of public providing information in response to three questions relating to associated entities.
1/9/03	Email A/C Info and Research to Exec/CO et al re call from M Kingston, SMH re Australians for Honest Politics issues including Trust Deed, legal advice and basis of 1999 decision.
2/9/03	Email Info to Exec et al re letter submitted to Editor of SMH about Seccombe (30-31/8) and Kingston (1/9) articles – In 1998, AEC determined Australians for Honest Politics Trust not associated entity.
3/9/03	Email Dir PAMS to Exec/CO et al re call from M Kingston - several issues about T Abbott's Australians for Honest Politics Trust.
8/9/03	Email A/C Info and Research to Executive/CO et al re discussions with M Kingston, SMH.
9/9/02	Email A/C Info and Research to Executive/CO et al re discussions with M Kingston, SMH – summary from notes of exchange with additional note.
9/9/03	Email A/C Info and Research to Exec/CO et al re further talk with M Kingston re when AEC first wrote to T Abbott – 18/9/98 following Courier Mail article on 1/9/98.
27/8/03	Letter T Abbott to EC requesting copy of letter AEC to T Abbott (10/6/99) re disclosure requirements of Australians for Honest Politics Trust.
27/8/03	Facsimiles AEC to SMOS and T Abbott attaching requested copy of letter AEC to T Abbott dated 10/6/99.
27/8/03	Email A Sachs (J Faulkner) to A/g EC offering comments about establishment of Australians for Honest Politics Trust.
18/09/2003	Letter from Electoral Commissioner to A Murray responding to letter of 5/9/2003 regarding Australians for Honest Politics Trust and other matters. EC advises the Senator that Trust is being reconsidered by the AEC.

19/9/2003	Letter to Chairman, EC from member of public (including as attachment election statistics from the AEC website) quoting media articles and seeking the legal criteria the AEC used that the Australians for Honest Politics Trust was not an associated entity.
19/9/2003	Fax cover sheet to Chairman, EC from member of public forwarding documents referred to above.
24/9/2003	Letter to member of public from AEC responding to member of public's letter to the Chairman EC of 19/9/2003 advising that the provisions of the Electoral Act are the legal criteria that AEC used in reaching its conclusion that the Australians for Honest Politics Trust was not an associated entity.
8/10/2003	SMOS Estimates Brief – Hot Issues to Senate Finance and Public Administration Committee – February 2003 outlining background to issues relating to the Australians for Honest Politics Trust and whether disclosure obligations exist.
19/11/2003	Question Time Brief on the Australians for Honest Politics Trust including status of Trust.
6/11/2003	Letter from P Dacey (Deputy Electoral Commissioner AEC) to B Mason the Chairman of the Senate Standing Committee on Finance and Public Administration regarding questions taken on notice by the AEC at the Estimates Hearing on 4 November 2003. Attachments (disclosure returns and letters AEC sent to T Abbott in September 1998 and June 1999) not on file. Please refer to AEC's website www.aec.gov.au for disclosure returns. Copy of letters AEC sent to T Abbott in September 1998 and June 1999 are first and third documents listed.