

Standing Committee on Finance and Public Administration

ANSWER TO QUESTION ON NOTICE

Budget Estimates Hearing – May 2010

Finance and Deregulation Portfolio

Outcome 1, Program 1.2

Topic: Employer organisations lodging accounts with the AEC

Question reference number: F75

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Senator Cameron asked:

Have any employer organisations that are registered under the Act failed to lodge their accounts?

Answer:

The provisions of the *Commonwealth Electoral Act 1918* (Electoral Act) do not require organisations (as opposed to political parties seeking to have their names on ballot-papers) to be registered. Further, the only organisations that are required to lodge returns setting out details of receipts, payments and debts (i.e. their accounts) are registered political parties (see section 314AB) and associated entities (see section 314AEA).

There is a further issue as to exactly what falls within the scope of being an “employer organisation”. It is noted that there is no definition of an “employer organisation” under the provisions of the *Fair Work (Registered Organisations) Act 2009*. However, the Fair Work Australia website does list (as at 3 May 2010) some 119 registered organisations and of these some 73 have the letter “E” in their listing which is stated as describing them as an employer organisation.

All of the various returns that are lodged with the Australian Electoral Commission (AEC) under Part XX of the Electoral Act are published on the AEC website. The AEC website has a search facility that can be used to make inquiries under the name of the relevant financial year, the name of the person or organisation and the type of return (e.g. donor, associated entity, registered political party, third party, etc). Information about whether any particular organisation has lodged a return under Part XX of the Electoral Act can be ascertained by entering the name of that organisation in the search facility.

In relation to the 73 organisations listed on the Fair Work website and which are accompanied by the letter “E”, the records of the AEC indicate that for the 2008-09 financial year none of these organisations which had donor reporting obligations failed to lodge the required returns. Further, for the 2008-09 financial year, the AEC has no evidence of any of these organisations having a third party political disclosure obligation and who have failed to lodge a return.