Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Finance and Administration Portfolio

Department of Finance and Administration

November Estimates Hearings 2003-04 - 4 November 2003

Question: 16A

Outcome 2, Output 2.3

Topic: Financial Disclosure in relation to DLP court case

Hansard page: N/A

Written Question on Notice: 4 November 2003

Senator Faulkner asked:

Noting the newspaper articles in the Age (15/8/02 "McGauran family behind DLP's bid to fend off extinction") and the Australian Financial Review (30/8/02 "DLP sighted on Mulholland Drive") and also AEC answers to questions at Senate Estimates in November 2002 that the provision of free or discounted legal services was a "gift" under the Act:

Has the arrangement between the McGaurans and the DLP for the provision and/or payment of Jonathon Beach QC's legal services been declared in disclosure returns by any of those people or the DLP?

Answer:

The answer provided to me by the Australian Electoral Commission is as follows;

The attached 2001/2002 annual financial disclosure returns appear to relate to legal services provided in the DLP court case. Returns for 2002/2003 are not yet available for public inspection and the AEC is not in a position to provide copies of them or comment on them at this time.

No donation to the DLP was declared in Senator McGauran's 2001/2002 annual return.



Donor to Political Parties Annual Return

01	No.	00
	Ŗ.	•

Donor Details Name of person or organisation JONTIMON BEACH & BERNIE QUINN Postal Address LEVEL 28, 200 QUEEN ST. MELBOURNE Postcode 3000 Details of Person completing the Return Name AS ABOVE While as above: If you are completing your own return.) Capacity/Position QUEEN'S COUNSEL & SUNIOR COUNSEL (Raywang) A return for an organisation should be completed by an appropriate officer such as the company vegeratory or finance manager.) Postal Address AS ABOVE Postcode Telephone number (BH) Facsimilie number (03) 92258 × 53 (03) 96709322 Email address Captify that the information contained in this return and its attachments is true and complete. Signature Date 15 1 // 1 92 Siving false or misleading information is a serious offence The due date for lodging this return is 17 November, 20 weeks after the end of the financial year. Enquiries and returns should be addressed to:	A copy of this Handbook can be viewed at the Australian Electoral Co	when completing this form.
Name of person or organisation John HAN BEACH & BERNIE & YINN	The design of the second of th	and the second s
Postal Address LEVEL 28, 200 QUEEN ST. MEZBOURNE Postcode 3000 Detalls of Person completing the Return Name AS ABOVE (Write the above if you are completing your own return.). Capacity/Position QUEEN'S COUNSEL & JUNIOR COUNSEL (Rayulung) (A return to an organisation should be completed by an appropriate officer such as the company secretary or finance manager.) Postal Address AS ABOVE Postcode Telephone, number (BH) Facsimile number (03) 92258453 (03) 96709322 Email address. Date IS I'I 102 Siving taise or misteading information is a serious offence The due date for lodging this return is 17 November, 20 weeks after the end of the financial year. Enquiries and returns should be addressed to:		
Postcode 3000 Details of Person completing the Return Name A5 ABOVE (Write 'se above 'if you are completing your own return.). Capacity/Position Capacity/Posit		
Details of Person completing the Return Name A5 ABOVE [Write :se above it you are completing your own return.]. Capacity/Position A 460V5 [Write :se above it you are completing your own return.]. Capacity/Position A 460V5 (A return for an organisation should be completed by an appropriate officer such as the company vecretary, or financial manager.) Postal Address A5 ABOVE Postcode Telephone number (BH) Facsimile number (03) 92258 453 (03) 9670 9322 Email address Certify that the information contained in this return and its attachments is true, and complete. Signature Date 15 1 // 102 Giving false or misleading information is a serious offence The due date for lodging this return is 17 November, 20 weeks after the end of the innocal year. Enquiries and returns should be addressed to:	JONATHAN BEACH & BERNIE QUINN	
Details of Person completing the Return Name AS ABOVE (Write-se above if you are completing your own return.) Capacity/Position QUEN'S COUNSEL & JUNIOR COUNSEL (Rejusting) (A return for an organisation should be completed by an appropriate officer such as the company, receiving or finance manager.) Postal Address AS ABOVE Postcode Facsimilie number (03) 92258 × 53 (03) 96709322 Email address Certify that the information contained in this return and its attachments is true and complete. Signature Date 15 1 // 102 Giving false or misleading information is a serious offence The due date for lodging this return is 17 November, 20 weeks after the end of the financial year. Enquiries and returns should be addressed to:	West Control of the C	
Details of Person completing the Return Name A5 ABOVE (Write ise above: If you are completing your own return.). Capacity/Position Q 468V/S COUNSEL & TUNIOR COUNSEL (Regulative) (A return for an organisation should be completed by an appropriate officer such as the company secretary, or finance manager.) Postal Address A5 ABOVE Postcode Facsimile number (03) 92258×53 [03) 96709322 Email address Certify that the information contained in this return and its attachments is true and complete. Signature Date 15 1 11 1 02 Giving false or misleading information is a serious offence The due date for lodging this return is 17 November, 20 weeks after the end of the linencial year. Enquiries and returns should be addressed to:	LEVEL 28, 200 QUEEN ST. MERBOURNE	
Name A5 ABOVE [Write tas above if you are completing your own return.]. Capacity/Position Q 468V'S COUNSEL & JUNIOR COUNSEL (Regularly) (A return for an organisation should be completed by an appropriate officer such as the company vecretary or finance managers). Postal Address AS ABOVE Postcode Facsimile number (03) 92258453 (03) 96709322 Email address Certify that the information contained in this return and its attachments is true and complete. Signature Date 15 1 // 102 Siving talse or misleading information is a serious offence The due date for lodging this return is 17 November, 20 weeks after the end of the financial year. Enquiries and returns should be addressed to:		Postcode 3000
Twrite-se above-if you are completing your own return.) Capacity/Position Q 4690's Co400SEC & J400'OR Co400SEC (Regulation) (A return for an organisation should be completed by an appropriate officer such as the company vecretary, or financial manager.) Postal Address AS ABOVE Postcode Facsimile number (03) 92258 x53	Name	
Capacity/Position Q.YEN'S COUNSEL & JUNIOR COUNSEL (Reystively) (A return for an organisation should be completed by an appropriate officer such as the company secretary or finance manager.) Postal Address AS ABOVE Postcode Facsimile number (03) 92258453 (03) 96709322 Email address I certify that the information contained in this return and its attachments is true and complete. Signature Date 15 11 02 Siving false or misleading information is a serious offence The due date for lodging this return is 17 November, 20 weeks after the end of the financial year. Enquiries and returns should be addressed to:	1	
(A return for an organisation should be completed by an appropriate officer such as the company vacretary or finance manager.) Postal Address AS ABOVE Postcode Facsimile number (03) 92258 ¥53	Constitution of the Consti	
(A return for an organisation should be completed by an appropriate officer such as the company vacretary or finance manager.) Postal Address AS ABOVE Postcode Facsimile number (03) 92258 ¥53	QUEEN'S COUNSEL & JUNIOR COUNSEL (Recrectively.
Facsimile number (03) 92258453	Postal Address	në company secretary or finance manager)
Email address I certify that the information contained in this return and its attachments is true and complete. Signature Date 15		Postcode
Email address I certify that the information contained in this return and its attachments is true and complete. Signature Date 15	Telephone riumber (BH) Facsimile number	
Certify that the information contained in this return and its attachments is true and complete. Signature Date 15 // 02 Siving false or misleading information is a serious offence The due date for lodging this return is 17 November, 20 weeks after the end of the financial year. Enquiries and returns should be addressed to:		Designation and the control of the c
Date 15 11 102 Siving false or misleading information is a serious offence The due date for lodging this return is 17 November, 20 weeks after the end of the linencial year. Inquiries and returns should be addressed to:	Email address	
Siving false or misleading information is a serious offence The due date for lodging this return is 17 November, 20 weeks after the end of the linencial year. Enquiries and returns should be addressed to:	Signature	nts is true and complete.
The due date for lodging this return is 17 November, 20 weeks after the end of the financial year. Inquiries and returns should be addressed to:	- Tolly and	2
inancial year. Inquiries and returns should be addressed to:	Siving false or misteading information is a serious offence	
	The due date for lodging this return is 17 November, in in ancial year. Inquiries and returns should be addressed to: HE RETURNS OFFICER	20 weeks after the end of the

FUNDING AND DISCLOSURE SECTION AUSTRALIAN ELECTORAL COMMISSION PO BOX E201 KINGSTON ACT 2604

Telephone: (02) 5271 4416 (02) 5271 4411

Registration No.

1. Donations made to Political Parties

In the table below list the name and address of each registered political party to whom donations totalling \$1500 or more were made between 1 July and 30 June, along with the date and value of each donation made.

Note, donations include:

- the provision of goods and/or services for free (ie 'gifts-in-kind' as defined in the handbook); and
- discounts given which are not made in the normal course of business.

A donation made to any person or body with the intention of benefiting a political party is to be treated as donation made direct to that party.

Name of Political Party	Address	Date of donation	Value of donation
the Regulared offer	ier, John Mulholland,	Z I	
the OLP is	ier, John Multolland, as much	- Recipient	
The provision of	projectional legal revie	٠	
as Council out	eted by Robert Sennel	Soberter	
for and on beho	of John Mutholland	during the per	pd .
December 2001	to date in relation to t	the conduct of the	AEC
concerning the	by gr John Mulholland to date in relation to to itatus of the regulation	of the OCP-"A	motion" & Dat
The verices have	been provided on a prol	rono lavio (to te	e extert
that they are not	recovered from any con	to goler in form	2
Mr Mulholland	escented against the A	EC). The estimate	7
value to 30 Two	2 2002 is \$15,000 and	to dute	
\$50,000 / ind	luding the raid \$15,000) - Value or	donation

2. Donations received

in the table below list the name, address and the total amount received for those persons and organisations from whom donalions of \$1,000 or more were received where those donalions received were used, in whole or in part, to make the donations to political parties listed in table 1 above.

	The state of the s		H = 3 - 3 - 3 - 3 - 3 - 3 - 3 - 3 - 3 - 3
Name of donor	Address	Date of donation	Value of donation
	and the state of t		
ase provide an estimate of the t	ima falca in a sur life di a	al de la companya de	



Previous amendment number

Political Party Annual Return - Amendment Form

Financial Year

2001/2002

Please refer to the *Political Party Handbook* when completing this form. A copy of this Handbook can be viewed at the Australian Electoral Commission's website at www.aec.gov.au.

Giving false or misleading information is a serious offend	ce.	
Party details		
Name		. •
DEMOCRATIC LATROR PARTY (DLP) OF AUGT	AALIA
Postal Address		
POBOX 8118 MONASH UN	WERSITY	CLAYTON
		Postcode 3/68
Telephone number (BH) Facsim	ile number	
(03) 9568 5241 (03	1) 9568 5	241
E-mail address		
secretary@dlp.org.	- Ct4	
Agent details		
Name		
JOHN VENETAT MUCH	eLLAND	
Postal Address		
PO BOX \$118 MON.	ASH UNIVERSIT	/ CLAYTON
		Postcode 3168
Telephone number Facsimi	le number	
(03) 9565 5241 (03	19568 526	
E-mail address		
secretary@d/p-org.	Z. W	
I certify that the information contained in this amendmen		and complete.
Agent's signature		
fredhold l	17/10/	03
Enguiries and returns should be addressed to:		
THE RETURNS OFFICER	Of	fice Use Only
FUNDING AND DISCLOSURE SECTION	Amendment No.	AOV
AUSTRALIAN ELECTORAL COMMISSION PO BOX E201		Toron Carrie Car
KINGSTON ACT 2604	Date Received:	2 n_nct 2003 %
Telephone: (02) 6271 4430	Registration No:	0-100 100
Facsimile: (02) 6271 4555		LCIDH HUI
lave you made any previous amendment to this years Ar	nnual Return? Yes	No O

If you answered yes to the above question, write the previous amendment number in the space provided below.

RECEIPTS

13	60		1,118	35.0	OF SEC	100		9209	3410	1.00	Sen 8	1			X 42.2	# V.	7.5	77.0	200	SALVY.	Jacq.	4 14	113	61	Sub-	14
1	Α,			-		1	\mathbf{r}					1					***	ू २ ४८	100	+ 1.4	*		1	- 11		
1		031	# 23 K	10	123	170	37.5	1	4	- 1	100		2 v.15	8 78	115		-	Side	2 I I		ia		V 🕰	-		iv.
				1000					-			-	109	48.		200	77.	37 2 4			:			-		ųψ.

Does this amendment include a change to the Total Receipts Figure? Yes: No. 1

If Yes, record the previous Total Receipts Figure and then the amended Total Receipts Figure in the boxes below:

Previou	s Total Receipts Figure	A	Amended Total Receipts Figure
\$	11,172-66	\$	27,672-66

2. Persons and Organisations from whom \$1,500 or more was received

Does this amendment include changes to the persons and organisations from whom \$1,500 or more was received?

If MES, record only the individual specific changes to the list provided in your original return in the following spaces. Alternatively, you can attach the original list and highlight the specific changes with an asterisk (*).

Name	Address	Amount Received
ROBERT SEMMEL	PO BOX 7086	\$ 1,500
	GARDENUALE-BRIGHTON VIC 3086	(Estimate)
JONATHAN BR. BENCH	AIKIN CHAMBERS	# 15,000
QC.	200 PHEEN STREET	\$ 15,000 (Estimpte)
77 1 V Ann A - 1 A	MELBOURNE 3000	
AL E/- 1 0		- 1
of Estimate of	costs of legal services frow Fee basis to John Mulh ric Labor Party, to the extended from a of John Mulhelland. Uncent Mulholland - V - Bust Prion	ded on
C. NO WIN NO	ree basis to John Mulh	olland
for the Democra	to Chabor Party, to the ex	tent that
such costs av	re not recovered from a	ny costs
oraers in tarour	of John Mulholland	n the
matter of John	Vincent Mulholland - V - Aust	valian
CICONON Commis	Tien	
And All Control of the Control of th		

PAYMENTS

3. Total Payments this Fi	nancial Year			
Does this amendment include a char	Manager Control of the Con-			property (1997) and the contract of
If Yes, record the previous Total Pa	ayments Figure and the a	mended Total P	ayment Figures in th	e boxes below:
Previous Total Payments Fig	ure	Amen	ded Total Payment	s Figure
\$ 14,177	-67	\$	30,67	7-67
	DE	BTS .		
4. Total Debts this Finance	ial Year			
Does this amendment include a cha	inge to the Total Debts Fi	gure? Yes	No.	
If Yes, record the previous Total De	bts Figure and the ame n	i ded Total Debts	Figure in the boxes.	below:
Previous Total Debts Figure		Amended Tota	Il Debts Figure	
\$ NIL		\$	NIL	**************************************
				en e
5. Persons and Organisat	ions to whom \$1,!	500 or more	is owed.	Fig. 1. 2015 Attending to the second
Does this amendment include an a	delication and property and			500
	es No.			
If yes, record only the addition/de provided: Alternatively, you can attac	eletions or variations from the previous list and hi	om the list provice ghlight the cham	led in your original re ges to be made with	turn in the spaces an asterisk (*) :
Name		Address		Amount Received
			,,,,	
i			ţ	PAGE 1



Political Party Annual Return

2001/2002

Please refer to the Funding and Disclosure Handbook for Associated Entities when completing this form. A copy of this Handbook can be viewed at the Australian Electoral Commission's website at www.aec.gov.au.

Giving false or misleading information is a serious offence.

Party Details Name		
DEMOGRATIC LABOR PARTY (OLP) OF AUGTRA	7418	
Postal Address		
PO BOX 855		
MULGRAVE VIC	ostcode	3170
Telephone number (BH) Facsimile number		
(03) 9568 5241 (03) 9568 524	./	
Email address		
secretary adlp. org. au		
Agent Details		
Name		
JOHN VINCENT MYLHOLLAND		
Postal Address		
PO BOX 855		
MULGRAUE VIC PO	ostcode	3170
Telephone number (BH) Facsimile number		
(03) 9568-524/ (03) 9568-524	1	
Email address		
secretary@dlp.org.au		
certify that the information contained in this return and its attachments is true and c	omplete.	
Agent's Signature		
Il Sulhollof 14/10/02		
Giving false or misleading information is a serious offence		
The due date for lodging this return is 20 October, 16 weeks afte	r the en	d of

the financial year.

Enquiries and returns should be addressed to:

THE RETURNS OFFICER FUNDING AND DISCLOSURE SECTION AUSTRALIAN ELECTORAL COMMISSION PO BOX E201 KINGSTON ACT 2604

Telephone: (02) 6271 4552

(02) 6271 4411

	Office Use Only
Date Received:	1 8 OCT 2002
Registration No:	72.07

RECEIPTS

1. Total Receipts this Financial Year

18, 172-66

This total includes all receipts of the party.

Note:

- receipts of all party units must be included in the party total;
- no category of receipt is to be excluded (eg membership fees and loans received are included);
- all figures must be gross;
- receipts of less than \$1,500 must also be included in this total; and
- It includes monetary receipts and gifts-in-kind (as defined in the Handbook).

2. Persons and Organisations from whom \$1,500 or more was received

In the table below list the name, address and the total amount received for those persons and organisations from whom \$1,500 or more was received. Individual receipts of less than \$1,500 do not need to be aggregated as part of the amount to be disclosed for a person or organisation. Where a loan has been received from a source other than a recognised financial institution, details of the terms and conditions of that loan must also be disclosed.

Name	Address	Amount Received
		· / · · · · / · · · · · · · · · · · · ·
	\	
)		

RECEIPTS

Name	. ¼ , Address	Amount Receive
		
		<u> </u>
		<u> </u>
	· · · · · · · · · · · · · · · · · · ·	
,		
		,
		į.
•		
		1
		ŀ
		* * * * * * * * * * * * * * * * * * *
i		
		1
	·/	
··	<u></u>	
	-f	
···-—		
	CONTRACTOR IN THE CONTRACTOR OF THE CONTRACTOR O	·
	·	
/		
//		
		E
		1
pace is insufficient please attach additional sheets	\$	P2107

PAYMENTS

3. Total Payments this Financial Year

\$ 14,177-67

This total includes all payments by the party.

Note:

- payments by all party units must be included in the party total;
- no category of payment is to be excluded (eg wages and salaries are included); and
- all figures must be gross.

DEBTS

4.	Total	Debts	as	at	30	June
----	-------	--------------	----	----	----	------

NIL

This total includes all debts, overdrafts and unpaid accounts of the party.

Note:

- debts of all party units must be included in the party total;
- no category of debt is to be excluded; and
- all figures must be gross.

5. Persons and Organisations to whom \$1,500 or more is owed

In the table below list the name, address and the total amount outstanding for those persons and organisations to whom \$1,500 or more is owed.

Name	Address	· Amount Owed
		//
and the second of the second o		
	··· · <i>/</i> /	<u>/</u>
	·	1
· · · · · · · · · · · · · · · · · · ·	<u> </u>	
Please provide an estimate of the time t	aken to complete this form	hrs mins

18/11/2002 19:41

03-3670-9322

108 AICKIN CHAMBERS

PAGE 02



Diver to Political Parties

500·/2002

Please when to the Purities and Discissive Hardbook for Third Parties when completing the form.

A copy of the Herithook cap he Mented in the Australian England Commentary wething at white se opposes.

Ching hash or make the promision is a serious offence.

Details |

Marrie of spareon of organisation

POBERT SEMMEL

Person Address

PO Box 7086 GARDENVALE-BRIGHTON VIC

Postcode 3186

Catalle of Person completing the Return

ROBERT SEMMEL

Charles and Appeals & South and Artificial Mark with Labor.

Consists Postlyt

Solicitor

(A return for an organisation allowly) the completed by an appropriate officer such as the complete extretion or finance manager)

PO Box 7086

GARDENVALE-BRIGHTON VIC

Postcode

3186

Talestiane rumber (84)

(03) 9596 6899

Pecsimile number

(03) 9596 7834

Email address

robsem.optusnet.com.au

t marting the tries and the designed in the return and its attachments is true and complete.

Signatury.

Date

17 11 19800

Grine Man or mulastics interpretate is a serious offeres

The day days for landing this return to 17 November, 20 weeks after the end of the

Empletive and results allowed to entropied to

THE PERMANE OFFICER

FUNDING AND DISOLOGURE SECTION

AUSTRALIAN GLECTORAL COMMISSION

HONGSTON NOT 2864

Temperer (02) 6271 4416 1

(02) 8271 4411

Office Use Only

Onto Received:

Registration No. 17505

18/11/2002 10:41

3:41 03-9670-9322

28 AICHIN CHAMBERS

FAGE 03

Control State Control

1. Observations made to Political Parties

法编辑整整公司的 中國 中國

in the teste below life the name and apprise of eath appeared political party to whom Considers totaling \$1400 or more well state testes in July and 30 July, dlong with the calls and value of each dorletten made.

Nate demologie beginster

- the desirable proper services for the de officination of defined in the halidbook); and
- discretion after the not made in the retries course of business.

A donellon middle to any person of body with the intelligen of benefiting a policical party is to be tracted as donester made applies to that party.

Name of Political Party	Address	Date of donation	Value of donation
DLP	1305 Princes Hwy Malvern East Vic 3148	Ongoing- between November	ADDIOX.
		2001 and June 200	2
basis therefore the correction of the contract that the contract t	ed over the above perions of the perions of the appeal process is an estimate and in	se and shall" is unsuccess	offly ful. The
\$1.500 for the above		. Lace may be	1053 (1141)
	#	 	, n , n , n , n , n , n , n , n , n , n
	- Company of the Comp	and .	; ; ;
	1 (a)	,	

2. Domations received

In the table below for the name, address and the total amount received for those persons and departmentons from whom densities of \$1,000 or more wate received where those donations received were used. In whole or in part, to make the donations to possess purpose taked in table 1 above.

Name of donor	1	Address		t t	Date of donation	Value o donation
	:					
district minimum. nom *	ن ب	None		• ,	.,,,,	
				i		* *
	•			:		
	٠		-			
dee off were growing to the comment				I		•
	· · ·	· · · · · · · · · · · · · · · · · · ·		An e c	! *	
* A 600 W	÷	. —	. مستند	•	•	
			——————————————————————————————————————		/ 2	

Whitehas Printer and the second of the second

danim distriction

D3108