
From: Authorisation Section
Sent: Monday, 6 May 2019 12:55 PM
To: Authorisation Section; 47F
Cc: 47F
Subject: RE: Friends of the ABC electoral advertising Attention 47F
[SEC=UNCLASSIFIED]

Dear 47F

The AEC has received a further complaint that abcfriends.org.au, specifically the page <https://me.abcfriends.org.au/index.php/2019/04/25/queensland-how-to-vote-report-card-on-parties/>, contains electoral matter but does not contain an authorisation for the purpose of the Electoral Act.

Specifically for electronic media, where electoral matter is (a) an advertisement and all or part of the distribution or production of the advertisement was paid for, or (b) the matter is communicated by, or on behalf of, a disclosure entity, an authorisation is required.

Whilst advertisement is not defined in the Electoral Act, it is defined in other Commonwealth legislation as, broadly, any matter that draws the attention of the public, or a segment of the public, to a product, service, person, organisation or line of conduct in a manner calculated to promote or oppose, directly or indirectly, that product, service, person, organisation or line of conduct.

If part of the distribution or production of abcfriends.org.au was paid for, or Friends of the ABC will meet the definition of a disclosure entity under the Electoral Act, could you please add an authorisation to the website, preferably to the footer of each page or to the 'About' section?

For background, a person or entity is a **disclosure entity** at a particular time if the person or entity is any of the following at that time:

- (a) a registered political party;
- (aa) a political campaigner (within the meaning of Part XX);
- (ab) a third party (within the meaning of Part XX);
- (b) an associated entity (within the meaning of Part XX);
- (c) a senator or a member of the House of Representatives;
- (d) a candidate in an election or by-election;
- (e) a person who was a candidate in:
 - (i) an election or by-election of a member of the House of Representatives in the previous 4 years;or
 - (ii) an election of Senators for a State or Territory in the previous 7 years;
- (f) a group of 2 or more candidates nominated for election to the Senate who have their names grouped in the ballot papers in accordance with section 168;
- (g) a person or entity who:
 - (i) is or will be required to provide a return under section 305A or 305B for the financial year in which the time occurs; or
 - (ii) based on conduct in previous financial years, may be required to provide a return under section 305A or 305B for the financial year in which the time occurs;except if the return is provided because of electoral expenditure incurred solely for the purposes of carrying out an opinion poll, or other research, relating to an election or the voting intentions of electors.

If you could please consider the above and advise by reply email either that abcfriends.org.au was not paid for and Friends of the ABC will not meet the definition of a disclosure entity and therefore the website does not require an authorisation, or that one of the circumstances mentioned above does apply and an authorisation will be added to the website?

Thank you for your continued cooperation.

Regards

47F [REDACTED] | Senior Lawyer
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