

From: s 47F
To: [Authorisation Section](#)
Cc: [Authorisation Section](#); s 47F
Subject: Re: Authorisation concerns [SEC=OFFICIAL]
Date: Saturday, 5 August 2023 12:40:40 PM
Attachments: [image001.png](#)
[image002.gif](#)
[image005.gif](#)

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Hi s 47F

Thanks very much. We have amended Referendum News and all other assets to reflect our previous discussion and this advice.

Please let me know if there is any other issues to be rectified.

Regards

s 47F

From: Authorisation Section <authorisationsection@aec.gov.au>

Date: Friday, 4 August 2023 at 12:58 pm

To: s 47F

Cc: Authorisation Section <authorisationsection@aec.gov.au>, s 47F

Subject: RE: Authorisation concerns [SEC=OFFICIAL]

Dear s 47F,

I refer to our telephone conversation Tuesday 1st August 2023.

As discussed, the AEC will extend the current authorisation compliance date to **5pm Monday 7 August 2023**. Please advise if you require more time to comply.

In relation to your question about the Referendum News Facebook page [Ad Library \(facebook.com\)](#), if the communications are paid-for by a disclosure entity and the content expressly promoting or/and opposing the law are referendum matter they require an authorisation under section 110C(1)(a), (c) and (5) of the *Referendum (Machinery Provisions) Act 1984* (Referendum Act). The AEC considers the communications currently on the Referendum New page include paid ads containing referendum matter that expressly promoting or opposing the law. These communications therefore require authorisation. Section 12 of the *Commonwealth Electoral (Authorisation of Voter Communication) Determination 2021* sets out the notifying particulars of the authorisation for communications other than printed communications. Section 12(2)(d) states if the communication is communicated in a form other than a form mentioned in paragraph (a), (b) or (c)—in one or more of the following ways:

- (i) **at the end of the communication**; or
- (ii) on a webpage that can be accessed by a **URL that is included**, either in whole or as a **hyperlink**, at the **end of the communication**;

If Advance Australia (via Referendum News) is unable to insert a URL/hyperlink into the image of your paid advertisements, the AEC would accept the placement of an authorisation in a paid advertisement at the end of the communication. For example:



If communicating about the proposed referendum, the AEC's general guidance is – **'when in doubt, authorise it'**.

If you are active in campaigning, receiving donations or making donations for a referendum, you may have an obligation to disclose amounts received or spent on referendum matter. More information is available on the AEC website at [Referendum disclosure](#).

I trust that this information is of assistance. Please note that the above information is not to be considered legal advice.

Kind regards,

s 47F

Regulatory Law | Legal Services Branch
Australian Electoral Commission

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From: s 47F

Sent: Tuesday, August 1, 2023 3:52 PM

To: Authorisation Section <authorisationsection@aec.gov.au>

Subject: Re: Authorisation concerns [SEC=OFFICIAL]

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s 47F – I am so sorry my phone was on silent. Ready to go whenever you are free.

Apologies again.

s 47F

From: Authorisation Section <authorisationsection@aec.gov.au>

Date: Tuesday, 1 August 2023 at 12:23 pm

To: s 47F

Subject: RE: Authorisation concerns [SEC=OFFICIAL]

Hi s 47F,

If you are available, I can give you a call at 3pm.

Kind regards,

s 47F

Regulatory Law | Legal Services Branch
Australian Electoral Commission

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unintended waiver of that privilege. The Australian Electoral Commission's Chief Legal Officer should be consulted prior to any decision to disclose the existence or content of any advice contained in this email to a third party.

From: [REDACTED] s 47F
Sent: Tuesday, August 1, 2023 12:11 PM
To: Authorisation Section <authorisationsection@aec.gov.au>
Cc: [REDACTED] s 47F; Authorisation Section <authorisationsection@aec.gov.au>
Subject: Re: Authorisation concerns [SEC=OFFICIAL]

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Hi [REDACTED] s 47F

Thanks for getting back to me.

I am on [REDACTED] s 47F, when would it suit for a call?

Cheers

[REDACTED] s 47F

From: Authorisation Section <authorisationsection@aec.gov.au>
Date: Tuesday, 1 August 2023 at 9:44 am
To: [REDACTED] s 47F
Cc: [REDACTED] s 47F, Authorisation Section <authorisationsection@aec.gov.au>
Subject: RE: Authorisation concerns [SEC=OFFICIAL]

Dear [REDACTED] s 47F,

The AEC Chief Legal Officer has asked that I contact you on his behalf following on from your email request dated 31 July 2023.

If you can provide us with a contact phone number, I am happy to discuss your concerns with you.

Alternatively, you can email us at authorisationsection@aec.gov.au setting out your questions/enquiry.

Kind regards,

[REDACTED] s 47F

Regulatory Law | Legal Services Branch
Australian Electoral Commission

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From: [REDACTED] s 47F
Sent: Monday, July 31, 2023 11:51 AM
To: Authorisation Section <authorisationsection@aec.gov.au>
Cc: [REDACTED] s 47F
Subject: Authorisation concerns
Importance: High

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Hi

My team is working on the referendum and our client has advised us of this breach notice.

Could you please provide a name and phone number for the best AEC team member for us to discuss this with?

Thanks

[REDACTED] s 47F

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