



File: 18-19-031, 18/581

1
Registered Officer
Stop Selling Australia Party
6

Dear 1

Notice under s 131 of the Commonwealth Electoral Act 1918 (the Electoral Act)

I refer to the application to register the Stop Selling Australia Party (the Party) as a non-Parliamentary party under Part XI of the Electoral Act received by the Australian Electoral Commission (AEC) on 24 November 2018. As the Party submitted updates to its membership list on 23 January 2019 and 22 February 2019, this impacted on the time taken to assess the application.

The AEC has completed its initial consideration of the application for registration. This letter constitutes a notice under subsection 131(1) of the Electoral Act, which is issued when the AEC is of the opinion that it would be required to refuse the application but that the applicants might be prepared to vary it in such a way that may resolve the issues identified.

As a delegate of the Electoral Commission, I am therefore giving the applicants a notice under s 131 of the Electoral Act setting out the reasons as to why the application would be refused.

Reason(s) for refusing the application

The membership list submitted by the Party contained 550 members. AEC staff cross-checked this membership list with the Commonwealth Electoral Roll (the Roll), as required by subsection 123(3) of the Electoral Act and found that 29 members were unable to be matched to the Roll. Fifteen members were identified as duplicates within the list and three members were identified as supporting the registration of other non-Parliamentary parties.

A list of 503 members requires contact with a random sample of 26 members under the formula provided by the Australian Bureau of Statistics. For the AEC to be satisfied that the Party has the required 500 members, one denial of membership is permitted.

The relevant numbers for this membership test were:

1. the random sample size was 26
2. the AEC attempted to contact 52 members, as some members were uncontactable
3. the highest 26 responses were:
 - 24 confirmed membership
 - two denied membership.

On this basis, I am not satisfied the Party meets the requirements of subsection 123(1) and paragraph 126(2)(ca) of the Electoral Act.

Terms of the provisions of subsections 131(2) and 131(3)

Under subsection 131(2) the Electoral Commission is not required to give further consideration to the application until notice is lodged with it under subsection 131(3) of the Electoral Act. As a delegate of the Electoral Commission, I will not be considering the application any further until you provide the AEC with the further details requested by this Notice.

Subsection 131(3) of the Electoral Act allows you to lodge with the AEC a written request signed by the applicants to:

- (a) **vary the application** by submitting a membership list of between 500 and 550 members; or
- (b) **proceed** with the application in the form in which it was lodged.

Under subsection 131(3) of the Electoral Act the Electoral Commission is to comply with the request.

A form for lodging a written request under subsection 131(3) of the Electoral Act is available on the AEC's website at:

www.aec.gov.au/Parties_and_Representatives/party_registration/files/forms/written-submission.pdf.

Please note that the request for variation of the application should be signed by all ten original applicants. Under subsection 131(4) of the Electoral Act, when a written request is lodged to vary an application, the application as varied is to be treated for the purposes of this section as if it were a new application. This means that the varied application will be considered afresh to see if the amendments meet the requirements for registration under the Electoral Act.

Timeframe for making a request under subsection 131(3)

Your request under subsection 131(3) of the Electoral Act should be received by **29 April 2019**. If no response is received by the above date the Electoral Commission will assume that the applicants do not wish to vary the application. In this circumstance the Electoral Commission will proceed to consider the application as it currently stands.

If there is any difficulty in meeting this date or you have any queries, contact the AEC on 02 6271 4552 or email fad@aec.gov.au.

Yours sincerely

4



Joanne Reid
A/g Assistant Commissioner
Delegate of the Electoral Commission

29 March 2019