

File: BDLPN0

Mr Nathan Spataro  
Registered Officer  
VOTEFLUX.ORG | Upgrade Democracy!  
---(REDACTED)---  
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Dear Mr Spataro

**Notice under s 137(1)(b) of the *Commonwealth Electoral Act 1918 (Electoral Act)* – Intention to Deregister – VOTEFLUX.ORG | Upgrade Democracy!**

I refer to the Notice issued to you on 8 October 2021 as Registered Officer of VOTEFLUX.ORG | Upgrade Democracy! (the Party) under s 138A(3) of the Electoral Act (the s138A Notice).

The s138A Notice required you to produce specified information on the Party's eligibility to remain registered by 8 December 2021.

On 7 December 2021, the Party responded to the s 138A Notice by providing a list of between 1,500 and 1,650 members of the Party.

I am notifying you under s 137(1)(b) of the Electoral Act that the Electoral Commission is considering deregistering the Party, as the Electoral Commission is satisfied on reasonable grounds that the Party does not have at least 1,500 members. A copy of the s 137(1)(b) Notice is enclosed.

Membership testing breakdown

The membership list submitted by the Party contained 1,649 names of people that the Party considers to be current members (referred to as 'members' below). The following results were found after initial membership testing against the Commonwealth Electoral Roll (electoral roll) of the membership list submitted by the Party:

<b>Submitted membership list</b>	<b>1,649</b>
Automatically matched to the electoral roll	1,614
Manually matched to the electoral roll	22
Unable to match or not enrolled on the electoral roll	(11)
Deceased	(2)
<b>Total</b>	<b>1,636</b>

No members were identified as duplicated within the list and 11 members were identified as supporting the registration of other political parties.

<b>Total matched to the electoral roll</b>	<b>1,636</b>
Duplicates identified in the membership list provided by the Party	(0)
Members identified as also supporting the registration of another party	(11)
<b>Total</b>	<b>1,625</b>

Under the membership testing methodology and formula provided by the Australian Bureau of Statistics (ABS) a list of 1,625 members requires contact with a random sample of 53 individuals on the membership list, and up to seven denials of membership are permitted by the individuals contacted. The Electoral Commission's view is that, absent of any relevant factors to the contrary, a failure to satisfy the test provided by the ABS alone constitutes reasonable grounds upon which the delegate of the Electoral Commission can be satisfied that a political party does not have at least 1,500 members.

<b>The relevant numbers for this membership test were:</b>	<b>Members</b>
The random sample size	53
Maximum number of denials permitted	7
Contact attempts made*	78
Responses received	
- Confirmed Membership	44
- Denied Membership	9
<b>PASS/FAIL</b>	<b>FAIL</b>

\*as some members were uncontactable, or provided a neutral response.

On that basis, I am satisfied that the Party does not have at least 1,500 members and therefore does not meet the requirement of being an eligible political party under s 123 of the Electoral Act to remain in the *Register of Political Parties* (the Register).

The Registered Officer of the Party, or 10 members of the Party, may submit a statement in response to this Notice. This statement must be lodged with the AEC by **13 February 2022**. Responses can be emailed to [fad@aec.gov.au](mailto:fad@aec.gov.au) or mailed to the address below.

If such a statement is provided, the Electoral Commission shall consider that statement and determine whether the Party should be deregistered under s 137(5) of the Electoral Act. If a statement is not provided, the Electoral Commission shall deregister the Party under s 137(4) of the Electoral Act.

I enclose a copy of the s 138A Notice, which provides information about the eligibility requirements for parties to remain registered on the Register.

If you have any further queries contact the AEC on 02 6271 4552 or email [fad@aec.gov.au](mailto:fad@aec.gov.au).

Yours sincerely

---(SIGNATURE REDACTED)---

Joanne Reid  
 Assistant Commissioner  
 Disclosure, Assurance and Engagement

13 January 2022

**SCHEDULE 1**  
**NOTICE OF INTENTION TO DEREGISTER**  
**SUBSECTION 137(1) OF THE COMMONWEALTH ELECTORAL ACT 1918**  
**(ELECTORAL ACT)**  
**VOTEFLUX.ORG | UPGRADE DEMOCRACY!**

The Electoral Commission is considering deregistering VOTEFLUX.ORG | Upgrade Democracy! (the Party) under s 137(1)(b) of the Electoral Act.

The Electoral Commission is satisfied on reasonable grounds that the Party, not being a Parliamentary party, does not have at least 1,500 members, because:

- upon contacting a random sample of 53 individuals from the membership list provided by the Party, who were electors and not identified as supporting the registration of another political party, nine people denied they were members of the Party. This number being greater than the permissible denials of seven for a sample size of 53.

**How to respond to this Notice**

If you wish to respond to the Notice, the Registered Officer, or 10 members of the Party must provide within one (1) month of the date of this Notice:

- a statement, in writing, setting out the reasons why the Party should not be deregistered.

The response to the Notice must:

- be in writing;
- signed by:
  - the Registered Officer, or
  - ten members of the Party (including their names, addresses, and contain a statement that they are members of the Party);
- addressed to:
  - [FAD@aec.gov.au](mailto:FAD@aec.gov.au), or
  - Locked Bag 4007, Canberra City ACT 2601.

**How the Electoral Commission will consider your response**

The Electoral Commission will consider any response received within 1 month of this Notice in determining whether to deregister the Party for the reasons outlined above. If a response is not received within 1 month of this Notice, the Electoral Commission shall deregister the Party.

**Further information**

For more information call 02 6271 4552, visit [www.aec.gov.au](http://www.aec.gov.au) or email [fad@aec.gov.au](mailto:fad@aec.gov.au).