

File: [REDACTED]

Mr Sanjeev Sabhlok
Proposed Secretary
Australia's Representatives

Dear Mr Sabhlok

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

I refer to the application (the Application) from ten members (the Applicants) of Australia's Representatives (the Party) to register the Party as a non-Parliamentary party under the provisions of the Electoral Act, received by the Australian Electoral Commission (AEC) on 15 June 2021.

On 24 June 2021, I wrote to you acknowledging the Application had been received and processing had commenced to determine whether your application met the requirements of Part XI of the Electoral Act. The AEC has completed its initial consideration of the application for registration. However, on 3 September 2021, the Electoral Act was amended when the *Electoral Legislation Amendment (Party Registration Integrity) Act 2021* (Party Registration Integrity Act) commenced.

On 8 September 2021, I wrote to you again, as proposed secretary of the Party, with an overview of the key changes to the Electoral Act following the commencement of the Party Registration Integrity Act. Relevantly, the membership threshold for registration of non-Parliamentary parties under ss 123 and 126(2)(ca) of the Electoral Act increased to 'at least 1,500 members' (the previous requirement was 'at least 500 members').

This letter constitutes a Notice under s 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.

Reasons for the s 131(1) Notice

The Application in its current form does not meet the requirements under ss 123 and 126(2)(ca) of the Electoral Act as it does not include a membership list supporting that the Party 'has at least 1,500 members'.

Accordingly, I am of the opinion that the Applicants might be prepared to submit a membership list of 1,500 members of the Party for testing by the AEC such that refusal of the Application would not be so required.

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

Under s 131(2) the Electoral Commission is not required to give further consideration to the application until notice is lodged with it under s 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.

Section 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 in the manner specified in the request; or
- (b) proceed with the application in the form in which it was lodged.

The AEC is required under s 131(3) of the Electoral Act to comply with the request.

Responding to this Notice

If you wish to respond to this Notice, please provide **a list with the names of between 1,500 and 1,650 members of the Party** for AEC testing. This membership list should be accompanied by the form that is on the AEC's website at:

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

The AEC will test the membership list provided in accordance with the AEC's *Guide for registering a party*, which is available on the AEC's website at:

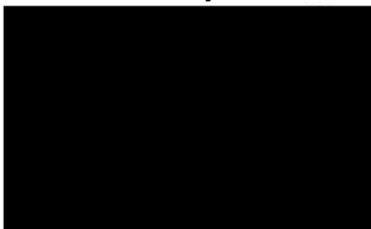
https://www.aec.gov.au/Parties_and_Representatives/Party_Registration/guide/files/party-registration-guide.pdf

Please note that the request for variation of the Application should be signed by all Applicants.

If the AEC does not receive a response to this Notice on or before **21 December 2021**, the AEC will consider that the Applicants wish to **proceed** with the Application in the form in which it was lodged.

If you have any further queries, contact the AEC on 02 6271 4552 or email your enquiry to fad@aec.gov.au as soon as possible.

Yours sincerely



Assistant Commissioner
Delegate of the Electoral Commission

21 October 2021