

Audit certificate form

Independent elected member – Administrative expenditure funding annual return

IMPORTANT

This audit certificate form is for use only by **independent elected members** when submitting an **administrative expenditure funding annual return**. The Victorian Electoral Commission (VEC) will not accept any other format.

This audit certificate **must be completed by an independent auditor**.

If you need an audit certificate for a **different entity type or purpose**, please visit our website at www.vec.vic.gov.au or email Funding, Disclosure and Registration at disclosures@vec.vic.gov.au.

Administrative expenditure funding

Independent elected members (IEM) are entitled to receive administrative expenditure funding (AEF) under the *Electoral Act 2002* (Vic) (Electoral Act). The VEC pays recipients the full AEF entitlement amount quarterly in advance (except when there is an election, in which case payments are made retrospectively).

Section 207GA Entitlement to administrative expenditure funding

Claimable expenditure

AEF may be used for the expenses incurred in operating a political office and complying with funding and disclosure requirements. Expenses are inclusive of Goods and Services Tax (GST). If a recipient is only eligible to receive AEF for part of the calendar year, expenditure can only be claimed for that period, rather than the full 12 months. A subsequent annual return acquittal process recoups any monies not spent on claimable expenditure.

Expenses that may be claimed as administrative expenses include:

1. Expenditure for the administration or management of the IEM's activities
2. Expenditure for conferences, seminars, meetings or similar functions at which the IEM's policies are discussed or formulated
3. Expenditure by the IEM in respect of the audit of financial accounts, or claims for payment or disclosure under the Electoral Act
4. Expenditure on the remuneration of staff engaged in the activities mentioned in points 1, 2 or 3 (above) for the IEM to the extent that that expenditure relates to the time that the staff are engaged in those matters
5. Expenditure on equipment or vehicles used by staff for the purpose of the activities mentioned in points 1, 2 or 3 (above) for the IEM to the extent that the expenditure relates to use of the equipment or vehicles by the staff whilst engaged in those matters

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6. Expenditure on office accommodation for the staff and equipment mentioned in points 4 or 5 (above)
7. Expenditure on interest payments on loans.

Expenses that **may not** be claimed as administrative expenses include:

1. Political expenditure as defined in the Electoral Act
2. Electoral expenditure as defined in the Electoral Act
3. Expenditure for which an elected member has claimed a parliamentary allowance as a member
4. Expenditure incurred substantially in respect of operations or activities relating to the election of members to a Parliament other than the Parliament of Victoria.

Section 207G Definitions

Reporting requirements

If an IEM received AEF during any part of a calendar year, the registered agent of the IEM must submit an audited AEF annual return to the VEC within 16 weeks after the end of that calendar year.

Section 207GC Annual return and section 207GD Audit of annual return

Submission process

The completed AEF annual return form and accompanying audit certificate are submitted via email to disclosures@vec.vic.gov.au.

Information provided in this return will be audited by the VEC. We may request documentation to support any information disclosed in this form.

Due date

Returns are due by 21 April (in a leap year) or 22 April (in a non-leap year) for the previous calendar year. The due date does not change if it falls on a non-business day. The VEC is unable to offer any extensions to this legislative deadline.

Section 207GC(1) Annual return

Consequences of not submitting a return by the due date

If an AEF recipient does not give the VEC a properly completed AEF annual return by the due date, they are taken to have incurred no claimable expenditure in that calendar year. As a consequence, they must repay to the VEC the total amount of all AEF received during that calendar year.

Section 207GC(3) Annual return

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Offences

Any intention to circumvent a prohibition or requirement of Part 12 of the Electoral Act, or to provide false or misleading information, is a serious offence. Certain offences may also result in fines, prison sentences, as well as penalties attached to the recovery of donation amounts.

The offences include (but are not limited to):

- A person who fails to provide an annual return as required under Part 12 of the Electoral Act is guilty of an offence.
Penalty: 200 penalty units
Section 218A(1) Offences in relation to disclosure returns and annual returns
- A person who provides an annual return that contains particulars that are, to the knowledge of the person, false or misleading in a material particular is guilty of an offence.
Penalty: 300 penalty units or 2 years imprisonment or both.
Section 218A(2) Offences in relation to disclosure returns and annual returns

See Part 12 Division 4 of the Electoral Act for further information on offences.

The VEC recommends that funding recipients consult a taxation adviser to ensure that any possible GST implications are understood in relation to funding and this return.

More information

For more information, please visit the VEC website at www.vec.vic.gov.au, or email Funding, Disclosure and Registration at disclosures@vec.vic.gov.au.

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The information to be included in this form is required under section 207GD(2) of the *Electoral Act 2002* (Vic) (Electoral Act).

This form is to be used by an independent auditor for an independent elected member when submitting an administrative expenditure funding annual return under section 207GC(1) of the Electoral Act.

Fields marked with an * are mandatory

*Name of audited person

Auditor details

*Name		*Title	
*Auditor provider company name			
*Street address		Postal address	
*Suburb		Suburb	
*State		State	
*Postcode		Postcode	
*Phone number			
*Email			

Annual return period

*Start date	/ /	*End date	/ /
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Auditor's comments

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Attestation

*I state that I:

- a. was given full and free access at all reasonable times to all accounts, records, documents and papers relating directly or indirectly to any matter required to be specified in the annual return; and
- b. examined the material referred to in paragraph (a) for the purpose of giving the certificate; and
- c. received all information and explanations that I requested in respect of any matter required to be specified in the annual return and
- d. have no reason to believe that any matter stated in the annual return is not correct.

*I declare that I am an independent auditor and the submission attached to this audit certificate has been audited in accordance with Australian Accounting Standards as specified in section 334(1) of the *Corporations Act 2001* (Cth).

*I understand that knowingly providing false or misleading information is a serious offence under section 218A(3) of the Electoral Act.

*Name

*Signature

*Auditor provider
company ABN

*Date / /