



## DETERMINATION

### **Submission of annual return in relation to claimable expenditure of administrative expenditure funding**

Electoral Act 2002, Section 207G  
Determination 001/2021

#### **Keywords**

Administrative expenditure funding, annual return, claimable expenditure, independent elected member, Registered Agent, Registered Officer, registered political party

#### **Preamble**

Section 207GC of the *Electoral Act 2002* provides that the registered officer of a registered political party or the registered agent of an independent elected member must submit an annual return in relation to administrative expenditure funding within 16 weeks after the end of each calendar year.

This provision also authorises the Victorian Electoral Commission to determine the form in which the annual return must be provided.

A disclosure return or an annual return lodged in accordance with the procedures outlined in this Determination will be taken to have been provided to the Victorian Electoral Commission in accordance with the *Electoral Act 2002*.

#### **Audience**

The primary audience for this Determination includes the following stakeholder groups:

- Registered political parties, and
- Independent elected members.

## Determination

I, Warwick Gately AM, Electoral Commissioner, by delegation of the Victorian Electoral Commission (VEC) pursuant to section 16(1)(b) of the *Electoral Act 2002 (the Act)*, make the following determination under section 9(3) of the Act.

This Determination is made under the power granted by section 207G of the Act.

### ***Requirements for a registered political party or independent elected member submitting an annual return in relation to administrative expenditure funding***

Section 207GC of the Act requires:

- the Registered Officer of a registered political party with elected members, or
- the Registered Agent of an independent elected member

to submit an administrative expenditure return to the VEC within 16 weeks of the end of the calendar year.

### ***Registered political parties***

For registered political parties, the administrative expenditure return must be made by the Registered Officer of the registered political party in the form and manner detailed below:

#### How to submit an administrative expenditure funding return

- Complete the **Administrative Expenditure Funding Return – Registered Political Party form** and email it to the VEC via [disclosures@vec.vic.gov.au](mailto:disclosures@vec.vic.gov.au), along with the required attachments, or
- Complete the **Administrative Expenditure Funding Return – Registered Political Party form** and post it to Victorian Electoral Commission, Level 11, 530 Collins Street, Melbourne VIC 3000, along with the required attachments.

#### What must be included in an administrative expenditure funding return

- The administrative expenditure funding return must include:
  - Details of the registered political party:
    - Registered political party name, and
    - Registered Officer name.
  - Signed attestation by the Registered Officer

- Summary of total amounts of administrative expenditure and interest paid on loans for administrative expenses, including:
  - The total amount paid by or on behalf of the registered political party (including elected members, candidates at an election and groups) in the relevant calendar year, and
  - The total interest paid on loans by or on behalf of the registered political party in the relevant calendar year.
- Confirmation that the expenditure incurred by or on behalf of the registered political party during the relevant calendar year was either:
  - Not less than the amount of the entitlement to administrative expenditure funding under section 207GA of the Act, or
  - Less than the amount of the entitlement to administrative expenditure funding under section 207GA of the Act, being the amount specified in the return.

#### Required attachments

- Signed certificate of a registered company auditor within the meaning of the *Corporations Act 2001* (Cth).

#### Further information

- To be accepted, the original signed document (or a scanned copy provided the original document is retained for records) must be submitted.
- The **Administrative Expenditure Funding Return – Registered Political Party form** can be accessed via the VEC website at <https://www.vec.vic.gov.au> or by contacting the VEC via phone on 131 832 or email at [disclosures@vec.vic.gov.au](mailto:disclosures@vec.vic.gov.au).

#### ***Independent elected members***

For independent elected members, the administrative expenditure return must be made by the Registered Agent of the independent elected member in the form and manner detailed below:

#### How to submit an administrative expenditure funding return

- Complete the **Administrative Expenditure Funding Return – Independent Elected Member form** and email it to the VEC via [disclosures@vec.vic.gov.au](mailto:disclosures@vec.vic.gov.au), along with the required attachments, or
- Complete the **Administrative Expenditure Funding Return – Independent Elected Member form** and post it to Victorian Electoral Commission, Level 11, 530 Collins Street, Melbourne VIC 3000, along with the required attachments.

### What must be included in an administrative expenditure funding return

- The administrative expenditure funding return must include:
  - Details of the independent elected member:
    - Independent elected member's name, and
    - Registered Agent's name.
  - Signed attestation by the Registered Agent
  - Summary of total amounts of administrative expenditure and interest paid on loans for administrative expenses, including:
    - The total amount paid by or on behalf of the independent elected member in the relevant calendar year, and
    - The total interest paid on loans by or on behalf of the independent elected member in the relevant calendar year.
  - Confirmation that expenditure incurred by or on behalf of the independent elected member during the relevant calendar year was either:
    - Not less than the amount of the entitlement to administrative expenditure funding under section 207GA of the Act, or
    - Less than the amount of the entitlement to administrative expenditure funding under section 207G of the Act, being the amount specified in the return.

### Required attachments

- Signed certificate of an independent auditor certifying that the statement has been audited in accordance with the Australian Accounting Standards as specified in section 334(1) of the *Corporations Act 2001* (Cth).

### Further information

- To be accepted, the original signed document (or a scanned copy provided the original document is retained for records) must be submitted.
- The **Administrative Expenditure Funding Return – Independent Elected Member form** can be accessed via the VEC website at <https://www.vec.vic.gov.au> or by contacting the VEC via phone on 131 832 or email at [disclosures@vec.vic.gov.au](mailto:disclosures@vec.vic.gov.au).

### **Revocation of previous instrument**

Determination No. 8 of 2018 ('Submission of annual return in relation to claimable expenditure of administrative expenditure funding') made by the VEC on 23 November 2018 is revoked by the commencement of this Determination.

## Commencement of this Determination

This Determination comes into effect on 15 February 2021 and remains in effect until it is amended, revoked, superseded or otherwise replaced.

Warwick Gately AM  
Electoral Commissioner  
Victorian Electoral Commission

12 February 2021

## Document details

Determination Name	Submission of annual return in relation to claimable expenditure of administrative expenditure funding			
VEC Electra ref	EDRM042-467964415-12839			
Custodian	Director, Electoral Integrity and Regulation			
Scheduled review date	Before 30 June 2023			
Document history	Reference:	Effective date:	Supersedes:	Superseded by:
— Version 1.0	008/2018	23/11/2018	Not applicable	Version 2.0
— Version 2.0	001/2021	15/02/2021	008/2018	Version 2.1
— Version 2.1	001/2021	17/02/2021	Version 2.0	Not applicable

— END —