

# ACT Electoral Commission

Review of 28 September 2016 to 31  
December 2016 Gifts Reporting,  
2015/16 Annual Returns and 2016  
Election Returns

September 2017

FINAL



# Contents

<b>1</b>	<b>Executive Summary.....</b>	<b>6</b>
1.1	Introduction.....	6
1.2	Qualification .....	7
1.3	Summary of Findings .....	7
<b>2</b>	<b>Detailed Findings .....</b>	<b>10</b>
2.1	Review of Gifts Reporting.....	10
2.1.1	The Australian Labor Party ACT Branch 28 September 2016 to 31 December 2016 Gifts Reporting.....	10
2.1.2	The Liberal Party of Australia (A.C.T. Division) 24 September 2016 to 31 December 2016 Gifts Reporting .....	10
2.1.3	The ACT Greens 28 September 2016 to 31 December 2016 Gifts Reporting .....	10
2.1.4	Community Alliance Party (ACT) 28 September 2016 to 31 December 2016 Gifts Reporting.....	11
2.1.5	Liberal Democratic Party 28 September 2016 to 31 December 2016 Gifts Reporting .	11
2.1.6	Australian Sex Party ACT 28 September 2016 to 31 December 2016 Gifts Reporting .	11
2.1.7	Animal Justice Party 28 September 2016 to 31 December 2016 Gifts Reporting.....	11
2.1.8	Canberra Community Voters 28 September 2016 to 31 December 2016 Gifts Reporting	12
2.1.9	The Flux Party – ACT 28 September 2016 to 31 December 2016 Gifts Reporting .....	12
2.1.10	Like Canberra 28 September 2016 to 31 December 2016 Gifts Reporting.....	12
2.1.11	Sustainable Australia ACT 28 September 2016 to 31 December 2016 Gifts Reporting	12
2.1.12	VoteCanberra Party 28 September 2016 to 31 December 2016 Gifts Reporting .....	13
2.1.13	The 1973 Foundation 1 January 2016 to 31 December 2016 Gifts Reporting .....	13
2.1.14	The Canberra Labor Club 1 January 2016 to 31 December 2016 Gifts Reporting .....	13
2.2	Review of 2015/16 Annual Returns.....	13
2.2.1	The Australian Labor Party 2015/16 Annual Return .....	13
2.2.2	The Liberal Party of Australia (A.C.T. Division) 2015/16 Annual Return .....	13
2.2.3	The ACT Greens 2015/16 Annual Return .....	14
2.2.3.1	Variance between Annual Return totals and ACT Greens financial records.....	14



2.2.3.2	Receipt included in Annual Return listing of receipts twice.....	14
2.2.4	Community Alliance Party (ACT) 2015/16 Annual Return.....	14
2.2.5	Liberal Democratic Party 2015/16 Annual Return .....	14
2.2.6	Australian Sex Party ACT .....	15
2.2.7	Like Canberra 2015/16 Annual Return .....	15
2.2.8	Sustainable Australia (ACT) 2015/16 Annual Return .....	15
2.2.9	VoteCanberra 2015/16 Annual Return.....	15
2.2.10	1973 Foundation 2015/16 Annual Return.....	15
2.2.11	Canberra Labor Club 2015/16 Annual Return .....	15
2.3	Review of October 2016 Election Returns .....	16
2.3.1	The Australian Labor Party 2016 Election Return .....	16
2.3.2	The Liberal Party of Australia (A.C.T. Division) 2016 Election Return .....	16
2.3.3	The ACT Greens 2016 Election Return .....	16
2.3.4	Community Alliance Party (ACT) 2016 Election Return.....	16
2.3.5	Liberal Democratic Party 2016 Election Return .....	16
2.3.6	Australian Sex Party ACT 2016 Election Return.....	16
2.3.7	Animal Justice Party 2016 Election Return.....	17
2.3.8	Canberra Community Voters 2016 Election Return .....	17
2.3.9	The Flux Party – ACT 2016 Election Return .....	17
2.3.10	Like Canberra 2016 Election Return .....	17
2.3.11	Sustainable Australia (ACT) 2016 Election Return.....	17
2.3.12	VoteCanberra 2016 Election Return.....	18
2.3.13	1973 Foundation 2016 Election Return.....	18
2.3.14	Canberra Labor Club 2016 Election Return .....	18
2.3.15	ACT Council of Social Service 2016 Election Return .....	18
2.3.16	The Law Society of ACT 2016 Election Return.....	19
2.3.17	The Canberra Raiders Sports Club – Belconnen 2016 Election Return .....	19
2.3.18	The Canberra Raiders Leagues Club (Southside) 2016 Election Return .....	19
2.3.19	The Licensed Clubs Association (Clubs ACT) 2016 Election Return.....	19
2.3.20	Tuggeranong Valley Rugby Union Club 2016 Election Return .....	20



2.3.21	Ainslie Football and Social Club 2016 Election Return .....	20
2.3.22	Creative Safety Initiatives 2016 Election Return .....	20
2.3.23	CFMEU 2016 Election Return .....	20
2.3.24	Unions ACT 2016 Election Return.....	20
2.3.25	Trades Hall Building 2016 Election Return .....	20
2.3.26	United Firefighters Union of Australia ACT Branch 2016 Election Return .....	21
2.3.27	Australian Education Union ACT Branch 2016 Election Return .....	21
2.3.28	Rail Tram & Bus Union NSW Branch 2016 Election Return.....	21
2.3.29	Electrical Trades Union NSW Branch 2016 Election Return .....	21
2.3.30	CPSU - PSU Group 2016 Election Return .....	22
2.3.31	CanTheTram 2016 Election Return.....	22
2.3.32	Canberra Greyhound Racing Club 2016 Election Return .....	22
2.3.33	Master Builders Association of the ACT 2016 Election Return .....	23
2.3.34	Andrew Holt 2016 Election Return.....	23
2.3.35	Joel McKay 2016 Election Return .....	23
2.3.36	Kim Huynh 2016 Election Return .....	23
2.3.37	Leigh Watson 2016 Election Return .....	24
2.3.38	Marea Fatseas 2016 Election Return.....	24
2.3.39	Vijay Dubey 2016 Election Return .....	25
2.4	Review of October 2015/16 MLA Annual Returns .....	25
2.4.1	Joy Burch MLA 2015/16 Annual Return .....	25
2.4.2	Mick Gentleman MLA 2015/16 Annual Return .....	25
2.4.3	Nicole Lawder MLA 2015/16 Annual Return.....	25
2.4.4	Andrew Wall MLA 2015/16 Annual Return.....	26
2.4.5	Yvette Berry MLA 2015/16 Annual Return.....	26
2.4.6	Vicki Dunne MLA 2015/16 Annual Return.....	26
2.4.7	Andrew Barr MLA 2015/16 Annual Return .....	26
2.4.8	Steve Doszpot MLA 2015/16 Annual Return.....	26
2.4.9	Shane Rattenbury MLA 2015/16 Annual Return.....	27
2.4.10	Jeremy Hanson MLA 2015/16 Annual Return .....	27



2.4.11	Giulia Jones MLA 2015/16 Annual Return.....	27
2.4.12	Alistair Coe MLA 2015/16 Annual Return .....	27
2.4.13	Meegan Fitzharris MLA 2015/16 Annual Return.....	27



# 1 Executive Summary

## 1.1 Introduction

The ACT Electoral Commissioner is responsible for the administration and enforcement of the ACT's electoral funding, expenditure and financial disclosure scheme as prescribed by Part 14 of the Electoral Act 1992. The disclosure scheme includes the following components:

- Limits on the amount of electoral expenditure that may be incurred;
- Limits on the amount of anonymous gifts that may be received; and
- Disclosure of the financial transactions of registered political parties, MLAs, associated entities, candidates, third party campaigners and broadcasters and publishers.

Under sections 237 and 237A of the Electoral Act, the Commissioner is authorised to issue an Investigation Notice to an entity's financial representative requiring the financial representative to produce documents or other evidence at a set time and place. Documents or evidence required to facilitate this compliance review include, but are not limited to:

- Financial statements, including any financial records for the relevant period that will provide supporting evidence for the compliance review;
- A copy/backup of the financial system or electronic copies of transaction reports from the entity's financial system or the entity's manual accounting records;
- Copies of bank statements and other bank information such as deposit books; and
- Other records as required.

Entities were advised that complete and accurate financial records must be maintained to facilitate accurate disclosure. Through these compliance reviews, Elections ACT states that it aims to:

- Maintain the integrity of the funding and disclosure regime;
- Further increase transparency of funding and disclosure by key stakeholders;
- Assess the accuracy, completeness and reliability of information disclosures;
- Identify any instances of failure to comply with the requirements of the Electoral Act;
- Identify issues experienced by electoral participants which are able to be used by Elections ACT to provide targeted guidance to entities; and
- Identify issues experienced by electoral participants which are able to be used for legislative review and change.

Callida Consulting has been contracted by the ACT Electoral Commission to undertake compliance audits of financial records kept by ACT registered political parties and other ACT Election participants in accordance with the Election Funding and Financial Disclosure (FAD) Scheme.

The assignment comprises a number of reviews to be completed throughout the contract period of October 2013 to June 2017. This report details the findings of the following review which has been undertaken in the period March to June 2017. The Commission required audits to be completed over:

- The political parties' gifts reporting for the period 28 September 2016 to 31 December 2016;





- The associated entities and non-party candidates gifts reporting for the period 1 July 2016 to 31 December 2016.
- The political parties and associated entities annual returns for the year ended 30 June 2016;
- Election returns for participants in the 15 October 2016 ACT Election; and
- Annual Returns of returned MLAs for the year ended 30 June 2016.

## 1.2 Qualification

Due to the nature of the activities of political parties and candidates, a substantial amount of their income is derived from voluntary donations and fundraising activities. It is therefore impractical to confirm control over such income until it has been entered into the financial records of the entities. The scope of this review in relation to income is therefore limited to the amounts recorded in the financial systems (manual and IT based) of the entities.

## 1.3 Summary of Findings

The findings of the Review are summarised as follows:

- The gifts reporting of the following parties was reviewed for the period 28 September 2016 to 31 December 2016 (Gifts reporting prior to 28 September has been reviewed previously):
  - Australian Labor Party (ACT Branch);
  - Liberal Party of Australia (A.C.T. Division)
  - The ACT Greens
  - Liberal Democratic Party
  - Australian Sex Party ACT
  - Animal Justice Party
  - Canberra Community Voters
  - Like Canberra
  - Sustainable Australia (ACT)
  - The Flux Party – ACT
  - VoteCanberra
  - The Community Alliance Party (ACT)
- The gifts reporting of the following associated entities was reviewed for the period 1 January 2016 to 31 December 2016:
  - The 1973 Foundation
  - The Canberra Labor Club

Note: The gifts reporting of non-party candidates was reviewed as part of the Election Return reviews.

- Errors were noted in The ACT Greens, Australian Sex Party ACT, Animal Justice Party, Canberra Community Voters and Sustainable Australia (ACT) gifts reporting as detailed at section 2.1 below.



- The 2015/16 Annual Returns of the following parties and associated entities were reviewed:

**Political Parties:**

- Australian Labor Party (ACT Branch);
- Liberal Party of Australia (A.C.T. Division)
- The ACT Greens
- Liberal Democratic Party
- Australian Sex Party ACT
- Like Canberra
- Sustainable Australia (ACT)
- VoteCanberra
- The Community Alliance Party (ACT)

**Associated Entities:**

- The 1973 Foundation
- The Canberra Labor Club

- Errors were noted in The ACT Greens and Australian Sex Party ACT Annual Returns as detailed at section 2.2 below.
- The 2016 Election Returns of the following parties, candidates, and third-party campaigners were reviewed:

**Political Parties:**

- Australian Labor Party (ACT Branch);
- Liberal Party of Australia (A.C.T Division)
- The ACT Greens
- Liberal Democratic Party
- Australian Sex Party ACT
- Animal Justice Party
- Canberra Community Voters
- Like Canberra
- Sustainable Australia (ACT)
- The Flux Party – ACT
- VoteCanberra
- The Community Alliance Party (ACT)

**Third Party Campaigners:**

- ACT Council of Social Services





- The Law Society of ACT
- Canberra Raiders Sport Club – Belconnen
- Canberra Raiders Leagues Club (Southside) The Mawson Club
- The Licensed Clubs Association of the ACT (ClubsACT)
- Tuggeranong Valley Rugby Union & Amateur Sports Clubs
- Ainslie Football & Social Club
- Creative Safety Initiatives
- CFMEU
- Unions ACT - Trades and Labor Council of the ACT
- Trades Hall Building Ltd
- United Firefighters Union of Australia ACT Branch
- Australian Education Union - ACT Branch
- Rail, Trams & Bus Union NSW
- Electrical Trades Union of Australia (NSW Branch)
- CPSU - PSU Group
- CanTheTram
- Canberra Greyhound Racing Club
- Master Builders Association of the ACT

**Non-Party Candidates:**

- Andrew Holt
- Joel McKay
- Kim Huynh
- Leigh Watson
- Marea Fatseas
- Vijay Dubey
- Errors were noted in the Australian Sex Party ACT, Animal Justice Party, ACT Council of Social Service, Clubs ACT, Trades Hall Building, United Fire Fighters, Andrew Holt, Kim Huynh, Leigh Watson, and Vijay Dubey Election Returns as detailed at section 2.3 below.
- The 2015/16 Annual Returns of the following returned MLAs were reviewed:
  - Ms Joy Burch MLA
  - Mr Mick Gentleman MLA
  - Ms Nicole Lawder MLA
  - Mr Andrew Wall MLA
  - Ms Yvette Berry MLA
  - Mrs Vicki Dunne MLA
  - Mr Andrew Barr MLA
  - Mr Steve Doszpot MLA
  - Mr Shane Rattenbury MLA
  - Mr Jeremy Hanson MLA
  - Mrs Giulia Jones MLA
  - Mr Alistair Coe MLA



- Ms Meegan Fitzharris MLA
- Errors were noted in the Nicole Lawder, Andrew Wall, Shane Rattenbury, and Meegan Fitzharris MLA Annual Returns as detailed at section 2.4 below.

## 2 Detailed Findings

### 2.1 Review of Gifts Reporting

#### 2.1.1 The Australian Labor Party ACT Branch 28 September 2016 to 31 December 2016 Gifts Reporting

No Issues noted.

#### 2.1.2 The Liberal Party of Australia (A.C.T. Division) 24 September 2016 to 31 December 2016 Gifts Reporting

No Issues noted. (Note: The start review date for the Liberal Party is different to align with the Party's accounting processes).

#### 2.1.3 The ACT Greens 28 September 2016 to 31 December 2016 Gifts Reporting

##### 2.1.3.1 Inadequate documentation provided to enable review of Gifts reporting for the period 28 September to 31 December 2016.

**Issue:**

The ACT Greens provided inadequate documentation, limiting the extent to which the review could analyse the party's disclosure of gifts received for the September/December 2016 period. Subsequent to the review the party has provided further information to assist in the review and review work is ongoing.

**Recommendation:**

To be advised on completion of follow up review.



#### 2.1.4 Community Alliance Party (ACT) 28 September 2016 to 31 December 2016 Gifts Reporting

No Issues noted.

#### 2.1.5 Liberal Democratic Party 28 September 2016 to 31 December 2016 Gifts Reporting

No Issues noted.

#### 2.1.6 Australian Sex Party ACT 28 September 2016 to 31 December 2016 Gifts Reporting

2.1.6.1 Gift of \$1,000 not reported within reporting deadline.

**Issue:**

A receipt of \$1,000 from Ken Hill on 17 October 2016 had not been reported as at 30 June 2017 and is therefore outside the reporting deadline. The Australian Sex Party ACT have acknowledged this error and reported the receipt as a gift on 18 July 2017.

**Recommendation:**

No further action required.

#### 2.1.7 Animal Justice Party 28 September 2016 to 31 December 2016 Gifts Reporting

2.1.7.1 Records not provided for review.

**Issue:**

The Animal Justice Party did not provide any records for review but indicated that they had not received any gifts in the relevant period. The nominated reporting officer for the party advised that he is no longer fulfilling the role. A follow up review was held with the current reporting officer in August 2017 and confirmed that no reportable gifts had been received.

**Recommendation:**

No further action required.



## 2.1.8 Canberra Community Voters 28 September 2016 to 31 December 2016 Gifts Reporting

### 2.1.8.1 Gifts not reported within reporting deadline.

#### **Issue:**

Review of the Canberra Community Voters financial records revealed the following gifts from Clubs ACT that had not been reported within the deadline:

- \$40,000 receipted on 30 November 2016; and,
- \$40,000 receipted on 1 December 2016.

The amounts were reported on 16 August 2017.

#### **Recommendation:**

Elections ACT should follow up with Canberra Community Voters regarding the late disclosure of these gift amounts.

## 2.1.9 The Flux Party – ACT 28 September 2016 to 31 December 2016 Gifts Reporting

No Issues noted.

## 2.1.10 Like Canberra 28 September 2016 to 31 December 2016 Gifts Reporting

No Issues noted.

## 2.1.11 Sustainable Australia ACT 28 September 2016 to 31 December 2016 Gifts Reporting

### 2.1.11.1 Gifts not reported within reporting deadline.

#### **Issue:**

Review of the Sustainable Australia Party financial records revealed three gifts from the Sustainable Australia of \$824.09 on 29 September 2016, \$138.07 on 1 October 2016 and \$763 on 6 October 2016 totaling in excess of \$1,000 were not reported until 6 March 2017 outside the reporting deadline.



**Recommendation:**

Elections ACT should follow up with the Sustainable Australia Party regarding the late disclosure of these gift amounts.

2.1.12 VoteCanberra Party 28 September 2016 to 31  
December 2016 Gifts Reporting

No Issues noted.

2.1.13 The 1973 Foundation 1 January 2016 to 31 December  
2016 Gifts Reporting

No Issues noted.

2.1.14 The Canberra Labor Club 1 January 2016 to 31  
December 2016 Gifts Reporting

No Issues noted.

**Note:** Gift reporting for the 6 non-party candidates was reviewed as part of the Election Return review below and not separately detailed in this section.

## 2.2 Review of 2015/16 Annual Returns

2.2.1 The Australian Labor Party 2015/16 Annual Return

No Issues noted.

2.2.2 The Liberal Party of Australia (A.C.T. Division) 2015/16  
Annual Return

No Issues noted.



## 2.2.3 The ACT Greens 2015/16 Annual Return

### 2.2.3.1 Variance between Annual Return totals and ACT Greens financial records.

**Issue:**

The review showed variances between the totals recorded in the ACT Greens Annual Return and the financial records of the party for total donations (Return less than party records by \$3,593.17) and total expenses (Return less than party records by \$7,364.42). The Party submitted an amended return on 24 August 2017 to correct these variances.

**Recommendation:**

Elections ACT should follow up with the ACT Greens regarding the variances in the amounts reported.

### 2.2.3.2 Receipt included in Annual Return listing of receipts twice

**Issue:**

The review showed that amounts received from Ian Moreland on 17 July 2015 of \$1,100, \$1,100 and \$25 appear to have been included in the Annual Return listing of receipts twice as individual amounts and also as the total amount of \$2,225.

**Recommendation:**

The ACT Electoral Commission should follow up with the party to request confirmation of the receipt amount and amendment of the return if appropriate.

## 2.2.4 Community Alliance Party (ACT) 2015/16 Annual Return

No Issues noted.

## 2.2.5 Liberal Democratic Party 2015/16 Annual Return

No Issues noted.





## 2.2.6 Australian Sex Party ACT

### 2.2.6.1 Error in total payments reported in Annual Return

**Issue:**

Review of the Sex Party (ACT) financial records showed total payments of \$55 but the Party had submitted a return showing total payments of \$0.

**Recommendation:**

Elections ACT should consider following up with the party to provide amended return if appropriate.

## 2.2.7 Like Canberra 2015/16 Annual Return

No Issues noted.

## 2.2.8 Sustainable Australia (ACT) 2015/16 Annual Return

No Issues noted.

## 2.2.9 VoteCanberra 2015/16 Annual Return

No Issues noted.

## 2.2.10 1973 Foundation 2015/16 Annual Return

No Issues noted.

## 2.2.11 Canberra Labor Club 2015/16 Annual Return

No Issues noted.



## 2.3 Review of October 2016 Election Returns

### 2.3.1 The Australian Labor Party 2016 Election Return

No Issues noted.

### 2.3.2 The Liberal Party of Australia (A.C.T. Division) 2016 Election Return

No Issues noted.

### 2.3.3 The ACT Greens 2016 Election Return

No Issues noted.

### 2.3.4 Community Alliance Party (ACT) 2016 Election Return

No Issues noted.

### 2.3.5 Liberal Democratic Party 2016 Election Return

No Issues noted.

### 2.3.6 Australian Sex Party ACT 2016 Election Return

#### 2.3.6.1 Overstatement of election expenditure in the Election Return

**Issue:**

Review of the Sex Party (ACT) financial records showed total expenditure reported in the 2016 Election return to be overstated by \$5,944.43. Enquires with the Party revealed that the



discrepancy was due to inclusion of some federal campaign expenses in error. The party has submitted an amended return correcting this error on 18 July 2017.

**Recommendation:**

Elections ACT should follow up with the Sex Party (ACT) regarding the error in the amount reported.

## 2.3.7 Animal Justice Party 2016 Election Return

2.3.7.1 Amounts included in the Election Return did not reconcile to supporting documentation.

**Issue:**

The amount reported in the Animal Justice Party Election Return did not reconcile to the supporting information provided by the party for review.

**Recommendation:**

The ACT Electoral Commission should request an amended return.

## 2.3.8 Canberra Community Voters 2016 Election Return

No Issues noted.

## 2.3.9 The Flux Party – ACT 2016 Election Return

No Issues noted.

## 2.3.10 Like Canberra 2016 Election Return

No Issues noted.

## 2.3.11 Sustainable Australia (ACT) 2016 Election Return



No Issues noted.

## 2.3.12 VoteCanberra 2016 Election Return

No Issues noted.

## 2.3.13 1973 Foundation 2016 Election Return

No Issues noted.

## 2.3.14 Canberra Labor Club 2016 Election Return

No Issues noted.

## 2.3.15 ACT Council of Social Service 2016 Election Return

### 2.3.15.1 Gifts received incorrectly reported.

#### **Issue:**

The ACT Council of Social Service disclosed gifts received of \$7,060 from CHC Affordable Housing on 11 October 2015. Review of the supporting information indicated that the amount of donations totaled \$8,000 and was from CHC Affordable Housing (\$5,000), Anglicare (\$1,000) and ACT Shelter Inc (\$2,000).

#### **Recommendation:**

Elections ACT should follow up with ACT Council of Social Service and request an amended return if appropriate.

### 2.3.15.2 Election Expenditure incorrectly reported.

#### **Issue:**

The ACT Council of Social Service disclosed total election expenditure of \$8,332. Review of the supporting information indicated that the expenditure of donations totaled \$10,562.51.

#### **Recommendation:**



Elections ACT should follow up with ACT Council of Social Service and request an amended return if appropriate.

### 2.3.16 The Law Society of ACT 2016 Election Return

No Issues noted.

### 2.3.17 The Canberra Raiders Sports Club – Belconnen 2016 Election Return

No Issues noted.

### 2.3.18 The Canberra Raiders Leagues Club (Southside) 2016 Election Return

No Issues noted.

### 2.3.19 The Licensed Clubs Association (Clubs ACT) 2016 Election Return

#### 2.3.19.1 Election expenditure exceeds the spending threshold.

**Issue:**

Total electoral expenditure by Clubs ACT is \$56,190.20 and therefore exceeds the threshold of \$40,000 by \$16,190.20. At the time of reporting Elections ACT had already actioned this matter and issued an infringement notice.

**Recommendation:**

No further action required.



### 2.3.20 Tuggeranong Valley Rugby Union Club 2016 Election Return

No Issues noted.

### 2.3.21 Ainslie Football and Social Club 2016 Election Return

No Issues noted.

### 2.3.22 Creative Safety Initiatives 2016 Election Return

No Issues noted.

### 2.3.23 CFMEU 2016 Election Return

No Issues noted.

### 2.3.24 Unions ACT 2016 Election Return

No Issues noted.

### 2.3.25 Trades Hall Building 2016 Election Return

#### 2.3.25.1 Election expenditure exceeds the spending threshold.

**Issue:**

Total electoral expenditure by Trades Hall Building is \$41,720 and therefore exceeds the threshold of \$40,000 by \$1,720. At the time of reporting Elections ACT had already actioned matter and issued an infringement notice.





**Recommendation:**

No further action required.

**2.3.26 United Firefighters Union of Australia ACT Branch  
2016 Election Return**

**2.3.26.1 Election expenditure exceeds the spending threshold.**

**Issue:**

Total electoral expenditure by United Firefighters Union is \$40,697.40 and therefore exceeds the threshold of \$40,000 by \$697.40. At the time of reporting Elections ACT had already actioned this matter and issued an infringement notice.

**Recommendation:**

No further action required.

**2.3.27 Australian Education Union ACT Branch 2016 Election  
Return**

No Issues noted.

**2.3.28 Rail Tram & Bus Union NSW Branch 2016 Election  
Return**

No Issues noted.

**2.3.29 Electrical Trades Union NSW Branch 2016 Election  
Return**

No Issues noted.



### 2.3.30 CPSU - PSU Group 2016 Election Return

No Issues noted.

### 2.3.31 CanTheTram 2016 Election Return

No Issues noted.

### 2.3.32 Canberra Greyhound Racing Club 2016 Election Return

#### 2.3.32.1 Error in total gifts reported.

**Issue:**

The Canberra Greyhound Racing Club overstated total gifts in their election return in error. The Club will submit an amended return to correct the error.

**Recommendation:**

Elections ACT to confirm that the correct gift amount is recorded in the amended return.

#### 2.3.32.2 Error in total election expenditure reported.

**Issue:**

The Canberra Greyhound Racing Club understated total election expenditure in their election return due to misunderstanding of the requirements. The Club will submit an amended return to correct the error.

**Recommendation:**

Elections ACT to confirm that the correct election expenditure amount is recorded in the amended return.



### 2.3.33 Master Builders Association of the ACT 2016 Election Return

No Issues noted.

### 2.3.34 Andrew Holt 2016 Election Return

#### 2.3.34.1 Election Expenditure incorrectly reported.

**Issue:**

The review found that invoices totaling \$2,842 which were outstanding from Brindabella Printing at the time of the submission of the election return were not included in the return totals.

**Recommendation:**

Elections ACT should follow up with Andrew Holt and request an amended return if appropriate.

### 2.3.35 Joel McKay 2016 Election Return

No Issues noted.

### 2.3.36 Kim Huynh 2016 Election Return

#### 2.3.36.1 Election Expenditure incorrectly reported.

**Issue:**

The review found that the totals recorded in the Election Return did not agree to the supporting information as follows:

- Broadcasting electoral advertisements – Reported \$4,257 – Supporting Information shows \$4,617;
- Production of printed or electronic electoral matter – Reported \$9,853.16 – Supporting Information shows \$11,790.16; and,
- Producing, broadcasting, publishing or distributing other electoral matter – Reported \$1,277.15 – Supporting Information shows \$1,285.32.



Kim Huynh submitted an amended return on 22 September 2017 correcting these variances.

**Recommendation:**

Elections ACT should follow up with Mr Huynh in relation to the disclosure issues.

## 2.3.37 Leigh Watson 2016 Election Return

### 2.3.37.1 Discrepancies between election expenditure reported and the supporting information.

**Issue:**

The review found that election expenditure reported in the Election Return was unable to be reconciled with the supporting information. It should be noted discrepancies are for minor amounts. Ms Watson has been advised to submit an amended return.

**Recommendation:**

Elections ACT should follow up with Leigh Watson regarding the amended return.

### 2.3.37.2 Items included in the Election Return that do not meet the definition of electoral expenditure.

**Issue:**

The review found that the candidate registration fee (\$250) and Insurance (\$600) had been included as election expenditure in the Election Return. These items are not classified as electoral expenditure. Ms Watson has been advised to submit an amended return.

**Recommendation:**

Elections ACT should follow up with Leigh Watson regarding the amended return.

## 2.3.38 Marea Fatseas 2016 Election Return

No Issues noted.



## 2.3.39 Vijay Dubey 2016 Election Return

### 2.3.39.1 Totals recorded in the Election Return are rounded.

**Issue:**

The review found that election expenditure totals reported in the Election Return were rounded to the nearest \$500. The actual amounts were not significantly different (eg. \$5,980.45 was recorded as \$6,000). Vijay Dubey has submitted an amended return correcting these errors.

**Recommendation:**

Elections ACT should follow up with Mr Dubey in relation to the disclosure issues.

## 2.4 Review of October 2015/16 MLA Annual Returns

### 2.4.1 Joy Burch MLA 2015/16 Annual Return

No Issues noted.

### 2.4.2 Mick Gentleman MLA 2015/16 Annual Return

No Issues noted.

### 2.4.3 Nicole Lawder MLA 2015/16 Annual Return

#### 2.4.3.1 Error in reporting of total gifts received

**Issue:**

The review found that Nicole Lawder MLA had received gifts totaling \$1,510 (none of \$1,000 or more) but had not included this total on the Annual Return due to a misunderstanding of the requirement. An amended return correcting this error was lodged on 3 July 2017.



**Recommendation:**

No further action required.

## 2.4.4 Andrew Wall MLA 2015/16 Annual Return

### 2.4.4.1 Error in reporting of total payments

**Issue:**

The review found that Andrew Wall MLA overstated total payments in the Annual Return by \$800. The error was due to a “typo” in a supporting spreadsheet where an \$80 payment was recorded as \$880.

**Recommendation:**

Elections ACT should follow up with Andrew Wall MLA and request an amended return if appropriate.

## 2.4.5 Yvette Berry MLA 2015/16 Annual Return

No Issues noted.

## 2.4.6 Vicki Dunne MLA 2015/16 Annual Return

No Issues noted.

## 2.4.7 Andrew Barr MLA 2015/16 Annual Return

No Issues noted.

## 2.4.8 Steve Doszpot MLA 2015/16 Annual Return

No Issues noted.





## 2.4.9 Shane Rattenbury MLA 2015/16 Annual Return

No Issues noted.

## 2.4.10 Jeremy Hanson MLA 2015/16 Annual Return

No Issues noted.

## 2.4.11 Giulia Jones MLA 2015/16 Annual Return

No Issues noted.

## 2.4.12 Alistair Coe MLA 2015/16 Annual Return

No Issues noted.

## 2.4.13 Meegan Fitzharris MLA 2015/16 Annual Return

### 2.4.13.1 Detailed information required to support information reported in the Annual Return

#### **Issue:**

An audit meeting was held with Meegan Fitzharris MLA and staff during March 2017. At the meeting, the total gifts received did not reconcile to the supporting information provided. Minister Fitzharris has since submitted an amended return that agrees to the supporting information and provided explanations for the discrepancy.

#### **Recommendation:**

No further action required