

## **Decision on United Future's request to amend Electoral Commission policy and procedures for Registration of Political Parties**

On 31 May 2013, the Commission cancelled the registration of United Future as a political party because the party notified that it did not have at least 500 current financial members who were eligible to enrol as voters.

On 11 June 2013 United Future submitted a new application for registration. The Electoral Act only provides for registration and the cancellation of registration. It does not provide for re-registration.

The application was deficient in a number of respects including that it lacked the signed consent by the party's auditor and did not declare whether or not it had component parties. The major deficiency was that it provided no evidence the party had the required membership. A spreadsheet of members' names and details was provided on 12 June 2013 but it was not supported by any signed and dated evidence from members.

Section 63 of the Electoral Act 1993 sets out the statutory requirements that must be satisfied when applying to register a political party and includes the requirement for evidence, in a form approved by the Commission, that the party has at least 500 current financial members who are eligible to enrol.

Under the Commission's policy adopted in May 2011, the form of evidence required is signed and dated evidence from at least 500 current financial members including:

- the member's name and residential address,
- confirmation that the person is eligible to enrol as an elector,
- the amount of membership fee paid to the party,
- authorisation for the party to record them as a financial member of the party, and
- authorisation for the party to release their membership details to the Commission for the purposes of the application to register the party.

This information is required to authenticate that each of the members being relied upon in support of the application has agreed to be a financial member of the party at a given date. This assists in checking the correctness of the information provided. It is consistent with many important applications such as those for passports, drivers' licences and to be enrolled to vote. It is also consistent with the practice of comparable overseas electoral administrations.

United Future requested that the Commission amend its policy to accept evidence of membership based on an electronic spreadsheet of membership data, rather than membership applications signed by each member, if a party applies to register soon after it has had its registration cancelled.

The Commission concluded that all applicants for registration as political parties must be treated consistently. It would contravene the statutory scheme to have different requirements for applicants depending on matters such as recent registration or representation in Parliament.

On 19 June 2013 the Commission decided that, for United Future's registration application to meet the statutory requirements, the party must provide membership evidence signed by at least 500 of its members who are eligible to be enrolled. The Commission does not require original signed application forms. The Commission will accept signed and dated forms that have been submitted to the party electronically. The party is now in the process of collecting those forms for sending to the Commission. Once the Commission receives those forms from United Future – and the other deficiencies mentioned earlier are rectified - it will process the party's registration application in its usual way. This usually takes 6 to 8 weeks.

Given the possible impact of this decision on Mr Dunne's and United Future's position in Parliament, the Commission also decided to advise the Speaker of its decision via the Clerk of the House.

Signed for and on behalf of the Commission



Robert Peden  
Chief Electoral Officer

Dated: 19/6/13