

Madeleine Foley - Page 13 Issue

From: "Colin Barry" <[REDACTED]>
To: <MadeleineFoley@[REDACTED]>
Date: 16/04/2008 5:31 PM
Subject: Page 13 Issue

Hi Madeleine,

Further to the email to Trevor regarding what I meant by the Registered Officer of a Party taking on the role of the Party Agent here is the explanation.

The *Parliamentary Electorates and Elections Act 1912* provides that one of the criteria for a party to be a registered party is that it must nominate a person to be the "registered officer" of the party. The party is required to always have a registered officer.

The registered officer is the person who has responsibility for ensuring that the party complies with its obligations under the Act.

The *Election Funding Act 1981* predated the provisions for there being registered political parties and consequently registered officers. The EFA Act introduced the concept of a "party agent" to be the person responsible for ensuring that the party complies with the provisions of the EFA Act.

What we now have is two persons responsible for matters to do with a registered party (the registered officer and the party agent).

It would be a lot simpler if the registered officer had the responsibilities under the EFA Act rather than the party agent. The reason for recommending this approach is that the registered officer is a senior official of the party and has on going business with the NSWEC. They would be well placed to accept the responsibilities of the party agent. Also, from a practical point of view it is one less person that has to be involved in the process.

Happy to discuss.

Colin Barry
Electoral Commissioner
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