

Electoral Disclosure and Funding Act 2023 section 114

What is an official agent?

An official agent is a person who is responsible for the disclosure and funding obligations of an independent member, independent candidate, associated entity, third-party campaigner or significant political donor in a Tasmanian parliamentary election. This includes the management and disclosure of political donations and electoral expenditure under the *Electoral Disclosure and Funding Act 2023*.

Why register an official agent?

Each independent member, independent candidate, associated entity, third-party campaigner or significant political donor must register an official agent with the Tasmanian Electoral Commission to meet their disclosure and funding requirements under the *Electoral Disclosure and Funding Act 2023*.

Who can be registered as an official agent?

An official agent must be a natural person (i.e. an individual person, and not a corporation or other group of persons) and enrolled to vote in Tasmanian parliamentary elections.

A person may be registered as an official agent for more than one electoral participant. Registration as a party agent does not prevent a person from also registering as an official agent for a different electoral participant than their registered party – e.g. a party agent could also be an official agent for an endorsed Legislative Council candidate.

An official agent cannot be a person who has been:

- » sentenced to imprisonment for a term exceeding 2 years in relation to an offence
- » convicted of an electoral offence under the *Electoral Act 2004*, the *Electoral Disclosure and Funding Act 2023*, or any other law of Commonwealth, State or Territory relating to the election of members of parliament
- » convicted of an offence as an adult within the last 10 years involving fraud or dishonesty, or
- » any person who has been appointed to an office or position under the *Electoral Act 2004*.

Registering an official agent

If an independent member, independent candidate, third-party campaigner or significant political donor is a natural person, and does not register an official agent with the Tasmanian Electoral Commission, then that person is taken to be their own official agent.

If an associated entity, third-party campaigner or a significant political donor is a corporation, and does not register an official agent with the Commission, then the financial controller of the corporation is taken to be the official agent for the corporation.

For an associated entity, third-party campaigner or significant political donor that is an unincorporated entity, they must, within 14 days of their registration with the Commission, apply to register a natural person as their official agent.

If an application to register an official agent is made, it must include both a statement and a statutory declaration from the agent being appointed (see over the page for further details).

How to lodge this form

Completed applications and all documentation may be lodged in person, by post or by email:

In person:

Tasmanian Electoral Commission
294 Elizabeth Street, North Hobart TAS 7000

By post:

Tasmanian Electoral Commission
PO Box 307 Moonah TAS 7009

By email:

edf@tec.tas.gov.au

Queries? Please contact the TEC – 1800 801 701

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Part A - Registration information (please print)

Family name		Given names	
Address			
Suburb		State	Postcode
Occupation			
Email	Mobile phone	Other phone	

I wish to receive information from the Tasmanian Electoral Commission about the disclosure and funding obligations for the electoral participant I am the official agent for:

Y

Registering as an official agent of: (tick one)

- | | |
|----------------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> Independent House of Assembly member or candidate | <input type="checkbox"/> Legislative Council member or candidate |
| <input type="checkbox"/> Third-party campaigner | <input type="checkbox"/> Significant political donor |
| <input type="checkbox"/> Associated entity | |

Name of electoral participant the agent will act for:

By signing this statement I agree to be appointed as the official agent in relation to the electoral participant listed above.

By signing this statement I give my consent for the Tasmanian Electoral Commission to check whether I have any convictions for an offence or there have been any findings of guilt made against me in relation to an offence of a type that would disqualify me from being an official agent.

Date

Signature

Note: the Tasmanian Electoral Commission must be notified of any changes to the registration information above within 30 days of the change. Please use the *Change of registration details* form.

Who can access this information?

Section 130 of the *Electoral Disclosure and Funding Act 2023* allows for public inspection of a copy of the Register of Official Agents at the Tasmanian Electoral Commission's office. This copy will not include the address of any individual that does not appear on the State electoral roll, nor will it include the contact phone number or email address of any individuals or entities.

The Tasmanian Electoral Commission will also publish a copy of the Register of Official Agents to its website. This copy will not include the address of any individuals, nor the contact phone number or email address of any individuals or entities.

Failure to provide complete and accurate information about the official agent being registered may result in the Commission not accepting the registration.

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Part B - Statutory declaration of official agent (please print)

I,

Full name

of

Residential address

Suburb

State

Postcode

Occupation

Do solemnly and sincerely declare that:

I am enrolled to vote in Tasmanian parliamentary elections.

I am not appointed to any office or position under the Electoral Act 2004.

I have not been:

- » *Sentenced, in relation to an offence, to imprisonment for a term exceeding 2 years, or*
- » *Convicted of an electoral offence, within the meaning of the Electoral Act 2004*
- » *Convicted of an offence under the Electoral Disclosure and Funding Act 2023 or a law, of the Commonwealth, another State or a Territory, that is a law relating to the election of members of parliament, or*
- » *Within the previous 10 years, convicted of an offence, committed as an adult, involving fraud or dishonesty.*

I make this solemn declaration under the Oaths Act 2001.

Declared at (location)

Signature of official agent

Date

DD / MM / YYYY

Before me,

Witnessed by (select one): Justice of the Peace Commissioner for Declarations Authorised person

JP stamp here (or JP number if stamp unavailable)

Family name

Given name

Occupation of Commissioner for Declarations or authorised person

Date

DD / MM / YYYY

Signature of witness

Visit justice.tas.gov.au for information about witnessing a document

For more information about official agents, please visit tec.tas.gov.au

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Part C - Electoral participant's endorsement of agent (please print)

Name of endorser:

Family name

Given names

Position of electoral participant: (tick one)

Independent House of Assembly member or candidate

Legislative Council member or candidate

Third-party campaigner - individual person

Significant political donor - individual person

Other (please specify occupation for electoral participant, e.g. CEO)

By signing below, I (as the representative of the above electoral participant) endorse this registration of an official agent.

Date

DD / MM / YYYY

Signature

