

Administrative expenditure that confers a private benefit

Electoral Disclosure and Funding Act 2023

This guideline is issued under section 173(1) of the *Electoral Disclosure and Funding Act 2023*, which allows the Tasmanian Electoral Commission to issue guidelines for any matters dealt with in the Act.

Guideline

In determining claims for payment from the Administration Fund, the Tasmanian Electoral Commission will not consider an item of expenditure to be administrative expenditure where:

- It is not specifically listed in section 14(1)(b) as being administrative expenditure
- It confers a private benefit on the claimant or another person (for example, hospitality expenses to thank supporters after an election), and
- The claimed items of expenditure conferring the private benefit are not properly characterised as being for the administration and management expenses of the claimant.

The below factors will be considered by the Tasmanian Electoral Commission in determining whether a private benefit has been conferred for expenditure on travel, food, beverages and entertainment, and whether the expenditure may still be considered as being for the administration or management of the activities of the claimant.

Factor	Likely to be administrative expenditure	Unlikely to be administrative expenditure
What type of benefit is provided?	Economy travel, light food and refreshment (no alcohol), speaker fees for an event/meeting presentation that is relevant to the discussion or formulation of the registered party or independent Assembly member's policies	Limousine or business class travel, elaborate food or meals, alcohol, entertainment with no connection to the subject of an event
Why is the benefit provided?	For the comfort of participants attending an organised event or meeting at which the policies of the registered party or independent Assembly member are discussed or formulated	In a social situation where the main purpose is for participants to enjoy themselves
When is the benefit provided?	During normal business hours	Late night, weekends
Where is the benefit provided?	Business premises, conference centres or other venues that hire meeting spaces	High-end restaurants, clubs, entertainment venues like theatres or cinemas

This table is intended as a guide only. The Tasmanian Electoral Commission will consider all Administration Fund claims on a case-by-case basis to consider specific information for a claim.

This applies to all claims from the Administration Fund from eligible registered parties and independent House of Assembly members, made in accordance with the following parts of the *Electoral Disclosure and Funding Act 2023*:

- Part 14 – Meaning of Assembly administrative expenditure
- Part 12 – Administrative Funding for Assembly