

Registration of political parties policy

Electoral Act 2004

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1. Summary

The Tasmanian Electoral Commission (TEC) is responsible for maintaining a register of political parties for parliamentary elections. This policy supports the collection and registration of information from political parties in Tasmanian parliamentary elections.

2. Policy statement

This policy provides the relevant legislative sections and definitions relating to the Party Register for parliamentary elections, with additional interpretation where required to provide clarity and guidance for electoral participants who must be registered, or who will access this register.

Understanding which entities must register, and how and when to register is important for parties in parliamentary elections, as one of their obligations is to register under the *Electoral Act 2004*, and maintain their registration with the TEC.

3. Scope

The TEC is an impartial and independent statutory authority. The TEC's work to support registration compliance for electoral participants is performed under the authority provided by the *Electoral Act 2004* and the *Electoral Disclosure and Funding Act 2023*.

Electoral participants are any person, group of people or other entity who either incur electoral expenditure, or make or receive political donations. They can be political parties, Members, candidates, intending candidates, associated entities, third-party campaigners, political donors, party agents or official agents.

This policy applies to:

- The promotion of education and compliance with the registration requirements of the *Electoral Act 2004* and the *Electoral Disclosure and Funding Act 2023*
- Officers of the TEC, including contractors and third-party consultants, who are providing education, advice, or any other investigatory or compliance activity involving registrations in Tasmanian parliamentary elections.

Note: during the period from the issue of a writ for an election to the return of that writ, no action relating to the application for and registration of parties can be undertaken¹. The exception is an application to change the registered officer or deputy registered officer of a registered party².

¹ EA, section 62(1)

² EA, section 62(2)

4. Related legislation and documents

- Electoral Act 2004 (“EA”)
- Electoral Disclosure and Funding Act 2023 (“EDFA”)

This policy does not provide information about the registration of candidates, Assembly Members, party agents, official agents, associated entities or third-party campaigners – further information about those registrations can be found in the TEC’s **Registration of electoral participants policy**.

5. The Party Register

A party is a group of persons (whether incorporated or not) that exists for political purposes, and includes any branch in Tasmania of a party that was established outside of Tasmania³.

Unlike the registers required for other electoral participants (which are a requirement of the EDFA) the Party Register is legislated under the EA⁴.

The TEC is required to prepare and maintain the Party Register⁵. The Party Register will include the following for each registered party:

- The party’s name
- The party’s name as it will appear on ballot papers
- The name and address of the registered officer of the party
- The name and address of the deputy registered officer of the party
- The names and addresses of the registered members of the party.

Registering a party

An application to register as a party with the TEC must be made using the **Application for registration of a political party** form⁶. The form sets out the particulars required for registration as required by the EA, which are⁷:

- The name of the party (may not contain the word “independent”)
- The way the party’s name is to appear on ballot papers (no more than six words, may not contain the word “independent”)
- The name and address of the person who is to be the registered officer of the party, and be signed by that person
- The name and address of the person who is to be the deputy registered office of the party, and be signed by that person
- The names and addresses of at least 100 members of the party who are to be the registered members

³ EA, section 3

⁴ EA, part 4

⁵ EA, section 52(1)

⁶ EA, section 44(1)

⁷ EA, section 44(1)

- Statutory declarations from the registered officer, deputy registered officer, and registered party members supporting the application⁸
- A copy of the party's constitutional documents, and
- For the application to be signed by the party secretary.

Additionally, if the name of the party is the name of an existing party, the written consent of the existing party must accompany the application.

Note: a person is not eligible to be a registered officer, deputy registered officer or registered member unless that person is enrolled to vote in Tasmanian parliamentary elections.

After receiving an application to register a party, the TEC will publish a notice of the application in the *Gazette*, in three daily newspapers circulating generally in Tasmania, and by any other means determined by the TEC⁹. This notice will include certain information from the party's application, and will state that objections to the registration of the party be lodged with the TEC¹⁰ within thirty days of the publication of the notice¹¹. Objections may only be on grounds listed specifically in section 47 of the EA¹².

Determination of applications

After receiving an application for the registration of a party, the TEC must accept or reject the application¹³ within twenty-one days after the last day on which objections to the registration may be lodged¹⁴. Specific considerations for rejections are listed in section 47 of the EA; additionally, the TEC may also take into account any other information deemed relevant¹⁵. The TEC must provide its decision to the party secretary, and any person who lodged an objection to the application, written notice of the decision, the reasons for the decision, and details for appeal under section 49 of the EA¹⁶. If a decision is made to accept a registration, the TEC will register the party as soon as practicable¹⁷.

The TEC must also publish, in the *Gazette* and in three daily newspapers circulating generally in Tasmania, notice of either the registration or decision to reject the registration of a party as soon as practicable after the completion of appeals (if any are made)¹⁸.

⁸ EA, section 44(3)

⁹ EA, section 45(1)

¹⁰ EA, section 45(2)

¹¹ EA, section 46(1)

¹² EA, section 46(2)

¹³ EA, section 48(1)

¹⁴ EA, section 48(1)

¹⁵ EA, section 48(2)

¹⁶ EA, section 48(3)

¹⁷ EA, section 50

¹⁸ EA, section 51

6. Changes to registered details – party information

An application to change the registered party's name or its ballot paper name must be made using the **Application for registration of a political party** form¹⁹. The application must be signed by the registered officer and three registered members of the party, and must also include a statement that the change of name has been approved by the party's executive or other controlling body²⁰.

7. Changes to registered details – member information

Registered members may be added or removed from the Party Register – applications to do so must be made to the TEC using either the **Application to add a registered member** form²¹ or the **Application for deleting a registered member** form²². These forms include the required signed statement²³ or statutory declaration²⁴ that must be made as part of the application.

When an application is received, the TEC will amend the Party Register accordingly and provide written notification of the change to the party's registered officer²⁵.

8. Changes to registered details – registered officers

A party's registered officer or deputy registered officer (i.e. the person who may perform the registered officer's powers under the EA²⁶) may be changed on the Party Register. Applications to do so must be made to the TEC using the **Application to change registered officer** form²⁷. The application must be signed by the party secretary, three registered members of the party and the person who is to be the new registered officer or deputy registered officer²⁸.

When an application is received, the TEC will amend the Party Register accordingly and provide written notification of the change to the party secretary²⁹.

¹⁹ EA, section 57(1)

²⁰ EA, section 57(2)

²¹ EA, section 54(1)

²² EA, section 55(1)

²³ EA, section 54(2), 55(2)

²⁴ EA, section 54(3)

²⁵ EA, section 54(4), 55(3)

²⁶ EA, section 53

²⁷ EA, section 56(1)

²⁸ EA, section 56(2)

²⁹ EA, section 56(3)

9. Review of the Party Register

The TEC may review a registered party³⁰; a review will not be conducted more than once a year³¹ unless the TEC believes that fewer than one hundred registered members remain eligible to be registered members of the party, or if an objection to the cancellation of registration of the party is received.

Before commencing the review, the TEC must send written notification to the party's registered officer that includes a copy of the approved **Review of party registration** form³². This form sets out the names and addresses of registered members and registered officer, and will indicate if any registered members are not currently electors. The registered officer is required to complete this form³³, indicating which members are still current members of the party, updating any members' or officer's current address as required. The form must then be returned to the TEC with a copy of the party's constitutional documents within thirty days of the date of the notice³⁴.

If the registered officer identifies any registered party members who are not current party members, an **Application for deleting a registered member** form must be included with the returned review form³⁵. Similarly, an **Application to add a registered member** form should be completed and returned for any party members not yet registered with the TEC³⁶.

10. Cancellation of registration

The EA sets out three ways in which a party's registration may be cancelled:

- A registered party may apply to have their registration cancelled³⁷
- The registered party is found to have fewer than 100 registered members³⁸, or
- A **Review of party registration** form is not returned to the TEC within the required timeframe³⁹.

A registered party may submit an **Application to cancel registration of a party** form to the TEC to cancel their registration⁴⁰. This form must be signed by three registered members⁴¹ and include a statutory declaration relating to the cancellation of the registration⁴². As soon as practicable after receiving this application, the TEC will

³⁰ EA, section 58(1)

³¹ EA, section 58(3)

³² EA, section 58(2)

³³ EA, section 58(4)

³⁴ EA, section 58(4)

³⁵ EA, section 58(5)

³⁶ EA, section 58(6)

³⁷ EA, section 61

³⁸ EA, section 60

³⁹ EA, section 59

⁴⁰ EA, section 61(1)

⁴¹ EA, section 61(2)

⁴² EA, section 61(3)

issue a notice of the application to the registered officer⁴³ to advise how objections to the cancellation (if any) must be made⁴⁴. The TEC must also publish a copy of this notice in the *Gazette* and in three daily newspapers circulating generally in Tasmania⁴⁵.

If there are fewer than 100 registered members for a party on the Party Register (for example, as a result of a deletion of members), the TEC will issue a **Form of notice to cancel registration (less than 100)** to the party's registered officer⁴⁶. This form invites the registered officer to lodge an application to add names of further electors as registered members within thirty days, in order to continue the party's registration⁴⁷. The TEC will publish a copy of this notice in the *Gazette* and in three daily newspapers circulating generally in Tasmania⁴⁸.

If a registered party fails to return a **Review of party registration** form to the TEC within thirty days of the form's issue to the party, the TEC will issue a **Form of notice to cancel registration (no reply)** to the party's registered officer, allowing a further thirty days for the **Review of party registration** form's return to the TEC⁴⁹. The TEC will publish a copy of this notice in the *Gazette* and in three daily newspapers circulating generally in Tasmania⁵⁰.

If the required particulars for any type of party registration cancellation have been met, the TEC will proceed to remove the party from the Party Register and notify the party's former registered officer (in writing) of the removal⁵¹.

11. Public access to registers

The Party Register is available via the TEC for public inspection, including a copy of the registered party's constitutional documents⁵². The TEC will also publish a list of the names of all registered parties on its website⁵³.

⁴³ EA, section 61(4)

⁴⁴ EA, section 61(6)

⁴⁵ EA, section 61(5)

⁴⁶ EA, section 60(1)

⁴⁷ EA, section 60(1)

⁴⁸ EA, section 60(2)

⁴⁹ EA, section 59(1)

⁵⁰ EA, section 59(2)

⁵¹ EA, sections 59(3), 60(3), 61(7)

⁵² EA, section 52A(1), (2)

⁵³ EA, section 52A(3)

12. Responsibilities

Who	How
Tasmanian Electoral Commission	<ul style="list-style-type: none"> Approves this policy and associated documents
Director, Legislation and Compliance	<ul style="list-style-type: none"> Participates in the consultation process Determines policy instrument content and compliance with electoral disclosure and funding laws Communicates policy development and revision with relevant third parties as appropriate
Manager, Legislation and Regulation	<ul style="list-style-type: none"> Develops and amends policy instruments as required Coordinates administration of the policy development and review process Manages the publication, amendment or archiving of approved policy instruments

13. Version history and review

Version	Date	Changes made	Approved by
1.0	25/03/25	Initial approval	Tasmanian Electoral Commission
2.0	12/12/25	Updated TEC address. Modified version history table.	Tasmanian Electoral Commission