

**Senate Finance and Public Administration Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
**ADDITIONAL BUDGET ESTIMATES 2011-2012**

Finance and Deregulation Portfolio

**Department/Agency:** Australian Electoral Commission

**Outcome/Program:** 1/1.2

**Topic:** AEC Investigation – Health Services Union and the Member for Dobell

**Senator:** Ronaldson

**Question reference number:** F76

**Type of question:** Written

**Date set by the committee for the return of answer:** Friday, 30 March 2012

**Number of pages:** 1

**Question:**

- a) Since March 2011, has the AEC maintained its ‘watching brief’ on the HSU-Craig Thomson investigation? Has Fair Work Australia kept the AEC up-to-date? Have they been cooperative? Can any correspondence be provided?
- b) Has the AEC received any information since March 2011 which, but-for the statute of limitations, would have assisted the AEC investigation?
- c) Does section 315(11) prohibit absolutely the prosecution of matters after the limitation period has expired?
- d) If a breach of reporting requirements were provable, can the AEC take any steps to prosecute that are not statute-barred?

**Answer:**

With the effluxion of three year limitation period contained in subsection 315(11) of the *Commonwealth Electoral Act 1918*, the AEC has been unable to take any action in relation to the allegations surrounding the Member for Dobell and the expenditure of funds from the National Office of the Health Services Union that may be categorised as either a “gift” or “electoral expenditure”.

Accordingly, the answers to the specific questions here are:

- a) No. Therefore no further contact has been made with Fair Work Australia.
- b) No.
- c) Yes, in relation to breaches of Part XX of the *Commonwealth Electoral Act 1918*.
- d) No.