

Senate Finance and Public Administration Legislation Committee

ANSWER TO QUESTION ON NOTICE

Finance and Administration Portfolio

Australian Electoral Commission

Budget Estimates Hearing – May 2006

Question: F20

Outcome 2, Output 2.1.3

Topic: Overdue disclosure returns

Hansard Page: F&PA 106

Senator Carr asked:

At what point do you say that it is not likely that a return is going to be made [by Kingston Investments] for 2004-05 and you launch court proceedings?

Answer:

The AEC does not have a specific time frame at the end of which it ceases to pursue a disclosure return and refers an alleged failure to disclose to the Commonwealth Director of Public Prosecutions (DPP).

Referral to the DPP will depend on a number of factors, including the availability of evidence and whether all possible attempts have been made to obtain a disclosure.

The AEC has not yet reached a point at which it will cease to pursue Kingston Investments for a disclosure return. It is not possible at this stage to predict when that point will come.