

User Guideline 8:

Unregistered Parties



WESTERN AUSTRALIAN
Electoral Commission

This User Guideline is for a political party that has not been entered into the register of political parties.

What is an unregistered political party?

The *Electoral Act 1907* (the Act) does not distinguish between a registered and an unregistered party for the purposes of disclosure. Under the Act, it is sufficient for a party, or a branch of a party, to exist within the State and have the intent within their party constitution to promote the election to the Parliament of an endorsed candidate(s) (section 4 of the Act) in order to have State disclosure obligations.

What are the obligations for an unregistered political party?

- Disclose any gifts received for a political purpose over \$2,600 within the required timeframe.

Cumulative gifts from the same donor also need to be disclosed, if they are received in the same financial year and the combined total is more than \$2,600.

Once a donor has given gifts more than \$2,600 in the same financial year, any additional contributions from that donor are to be disclosed, regardless of the value.

There are two different periods that apply to disclosing gifts:

- Non-election period – within seven days of receipt.
- During an election period – by the end of the next business day after receiving a political contribution.

An election period commences once the writ is issued for an election and ends at 6.00 pm on polling day.

- Establish a State campaign account before incurring electoral expenditure.

A State campaign account is a dedicated bank account from which electoral expenditure must be paid. Only certain types of funds can be paid into the account, including:

- gifts
- other income
- interest paid on amounts in the account

If a State campaign account is established, then the party will need to lodge an annual return for the account by 30 November for the preceding financial year. This requirement commences for the 2024-2025 financial year.

A party can notify the Commission of their State campaign account by emailing a completed *FD18 – State Campaign Account Details* to fad@waec.wa.gov.au.

- Lodge an election return within 12 weeks of polling day

If the party incurs expenditure in relation to the 2025 State election, the election return is due by 2 June 2025.

How does an unregistered political party disclose gifts received?

If the party uses the Online Disclosure System, the Commission will have the information as soon as it is submitted. The information will be published as soon as practicable after it has been received on the Commission's website.

To register to use the Online Disclosure System, a request needs to be sent to fad@waec.wa.gov.au

Will an unregistered party lodge an annual return?

Unregistered political parties are required to lodge a return setting out the value of political contributions and other income received during the previous financial year.

The financial year (1 July to 30 June) forms the disclosure period for political parties and associated entities for gifts and other income.

The annual return is lodged using the form *FD06 - Annual Return by a Political Party*.

Further information

All forms referenced in this User Guideline can be found on the Commission's website, elections.wa.gov.au

This User Guideline contains general information only. It is not, nor is it intended to be, a substitute or replacement for the legislation. It is your obligation to comply with the legislation. The Commission can provide general guidance on matters, but it is not able to offer legal advice. If you are in doubt as to your obligations, please seek your own independent legal advice.

If you would like further information, please contact the Commission on 9214 0400 or by emailing fad@waec.wa.gov.au

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