



DETERMINATION UNDER THE *ELECTORAL ACT 2002*

DETERMINATION No 7 of 2018

CLAIMABLE ADMINISTRATIVE EXPENDITURE

I, Warwick Gately, Electoral Commissioner, by delegation of the Victorian Electoral Commission (VEC) pursuant to s 16(1)(b) of the *Electoral Act 2002*, make the following determination under section 9(3) of the *Electoral Act 2002*.

1. Application

This determination will apply in relation to the meaning of claimable administrative expenditure under section 207G of the *Electoral Act 2002*, which states:

claimable expenditure means expenditure for administrative expenses as determined by the Commission, subject to the following—

(a) the following expenditure is included—

- (i) expenditure for the administration or management of the activities of the eligible party or elected member;
- (ii) expenditure for conferences, seminars, meetings or similar functions at which the policies of the eligible party or elected member are discussed or formulated;
- (iii) expenditure in respect of the audit of the financial accounts of, or claims for payment or disclosures under the Act of, the eligible party or elected member;
- (iv) expenditure on the remuneration of staff engaged in the matters referred to in subparagraphs (i) to (iii) for the eligible party or elected member to the extent that that expenditure relates to the time that the staff are engaged in those matters;
- (v) expenditure on equipment or vehicles used by staff whilst engaged in the matters referred to in subparagraphs (i) to (iii) for the eligible party or elected member to the extent that that expenditure relates to use of the equipment or vehicles by the staff whilst engaged in those matters;
- (vi) expenditure on office accommodation for the staff and equipment referred to in subparagraphs (iv) and (v);
- (vii) expenditure on interest payments on loans;

(b) the following expenditure is not included—

- (i) political expenditure;
- (ii) electoral expenditure;
- (iii) expenditure for which an elected member has claimed a parliamentary allowance as a member;
- (iv) expenditure that is incurred substantially in respect of operations or activities relating to the election of members of the eligible party to a Parliament other than the Parliament of Victoria.



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2. Commencement

This determination commences on 23 November 2018.

3. Authority

This determination is made under section 207G of the *Electoral Act 2002*.

4. Repeal

Nil

5. Definitions

Administrative expenditure funding: means funding paid to a registered political party or an independent elected member for administrative expenses, including expenses incurred in complying with Part 12 of the *Electoral Act 2002*.

Elected member: means a person who is a member of the Council or the Assembly.

Election quarter: of a year in which a scheduled general election period occurs, means the quarter of that year beginning on 1 October.

Independent elected member: means an elected member who is not a member of a registered party.

Registered political party: means a political party that is registered under Part 4 of the *Electoral Act 2002*.

Scheduled general election period: the period commencing on 1 July in a year that a general election under section 61(1)(a) is to be held and ending on the day that the general election is held (both days inclusive).

6. Purpose

This determination details the items the VEC deems to be claimable administrative expenses. The details are attached.


W.M. GATELY AM
Electoral Commissioner



Items deemed to be claimable expenditure in relation to administrative expenditure funding

Section 207G of the *Electoral Act 2002* specifies that the VEC may determine what expenditure is considered claimable expenditure in relation to administrative expenditure funding, subject to the following, included expenditure types:

- (i) expenditure for the administration or management of the activities of the eligible party or elected member
- (ii) expenditure for conferences, seminars, meetings or similar functions at which the policies of the eligible party or elected member are discussed or formulated
- (iii) expenditure in respect of the audit of the financial accounts of, or claims for payment or disclosures under the Act of, the eligible party or elected member
- (iv) expenditure on the remuneration of staff engaged in the matters referred to in subparagraphs (i) to (iii) for the eligible party or elected member to the extent that that expenditure relates to the time that the staff are engaged in those matters
- (v) expenditure on equipment or vehicles used by staff whilst engaged in the matters referred to in subparagraphs (i) to (iii) for the eligible party or elected member to the extent that that expenditure relates to use of the equipment or vehicles by the staff whilst engaged in those matters
- (vi) expenditure on office accommodation for the staff and equipment referred to in subparagraphs (iv) and (v)
- (vii) expenditure on interest payments on loans.

With consideration to those items specified as claimable expenditure in section 207G of the *Electoral Act 2002*, the VEC considers expenditure associated with the general running of the registered political party, or the office of the independent elected member to be claimable expenditure. This may include:

- office accommodation for standard operations*
- staff employed for standard operations*
- equipment for standard operations* (e.g. IT systems, vehicles, office stationery, etc)
- interest charges on loans for standard operations*
- utilities for standard operations*
- travel related to standard operations*
- advertising related to standard operations*
- staff employed to set-up/manage obligations in relation to funding and disclosure laws (including production of returns)
- costs incurred to set-up and manage obligations in relation to funding and disclosure laws (including production of returns)
- costs incurred in auditing of returns and statements required by funding and disclosure laws.

**Standard operations may occur during an election period and are removed from election campaigning.*