Register of political parties

The Electoral Act 2002 (the Act) requires the Victorian Electoral Commission (VEC) to maintain a register of political parties. In order to qualify for registration, a political party must have a written constitution and at least 500 members who are Victorian electors and party members in accordance with the party’s rules, and who are not members of another registered political party or of another party applying for registration.

It is not compulsory for a political party to be registered to contest an election, but registration gives a party a number of important entitlements, including:

- the right to have the party’s registered name or abbreviation and registered logo opposite its endorsed candidates or group on ballot papers
- access to enrolment and voter information on a periodic basis
- public funding for parties obtaining enough votes
- administrative expenditure funding for endorsed elected members of Parliament
- nomination of candidates and registration of how-to-vote cards in bulk with the VEC head office instead of through individual Election Managers for each district
- policy development funding if eligible.

An amendment to legislation occurred in the lead up to the 2018 State election that meant an application for political party registration could not be made during the period commencing 115 days before the day of the election. This deadline also applied to registering political party logos and registered political parties applying to change their name. For the 24 November 2018 State election, this was COB Wednesday 1 August 2018. For future State elections, this deadline will be 120 days before the day of any general election resulting from the expiration of the Legislative Assembly.
New political parties

There was interest in party registration in the lead-up to the State election. In 2018, the VEC received applications for registration from 11 new political parties, nine of which were registered in time for the election.

Before registering a party, the VEC must be satisfied that it is an ‘eligible political party’ within the meaning of the Act. There are two main ways the VEC tests a party’s eligibility, after confirming that the application is in order. First, the VEC advertises the application, inviting objections to the application. Objections must be received within 30 days of the VEC’s notice. At the same time, the VEC writes to the people on the party’s membership list, asking them to use an included form and reply-paid envelope to confirm whether they are eligible members of the party.

The VEC received three objections to applications to party registration, claiming that the parties were not real political parties because their aims were unclear or they had free membership. One objection stated that the name of the Derryn Hinch’s Justice Party so nearly resembled the name of the Animal Justice Party that it was likely to be confused with the Animal Justice Party.

In considering objections, the VEC was guided by the Act, which contains provisions relating to a party’s constitution and none about a party’s policies. The only grounds of objection that the VEC can consider are that the party is not an eligible political party, that the application was not correctly made, or that the party’s name is inadmissible. Most objections were not based on these grounds, so were rejected. The VEC considered case history and experience in other jurisdictions, and decided that the name Derryn Hinch’s Justice Party was acceptable.

The VEC only registered a party when it was satisfied, through the independent, signed confirmation of the members themselves, that the party had at least 500 eligible members. Two applications for registration were refused. These were for The Flux Party–Victoria on 18 June 2018 and Stop Live Exports on 20 August 2018, as the VEC was not satisfied that either party had sufficient members to be eligible for registration. Appendix 5 contains the details of new party registrations in 2018. A total of 23 parties were registered for the 2018 State election and 20 contested the election (see Figure 3).

Section 60 of the Act allows a person whose interests are affected by the decision to apply to the Victorian Civil and Administrative Tribunal (VCAT) for a review of that decision. The Registered Officer for The Flux Party–Victoria, Scott Millington, applied to the VCAT on 3 July 2018 for a review of the VEC’s decision. On 23 October 2018 the VCAT dismissed Mr Millington’s application for review and affirmed the VEC’s
decision to refuse to register The Flux Party—Victoria’s application as a political party, validating the VEC’s approach to determining whether a political party may be registered under the Act.

Register of political party logos

An amendment to legislation allowed for a party to submit an application for a party logo to be entered in the Register of Political Parties. The VEC was required to advertise the proposed logos and invite any objections to the registration of those logos from members of the public. The grounds for objection to a party logo are limited, pertaining only to obscenity, similarity with the logo of another registered party such that they are likely to be confused, or comprising the word “Independent” or “Independent Party”.

The VEC received two objections to logo applications. One objection stated that the logo proposed by the Voluntary Euthanasia Party was similar to and likely to be mistaken for the federally-registered logo of Help End Marijuana Prohibition. The VEC determined that while the logos were similar, as Help End Marijuana Prohibition had failed to register in Victoria it could not be considered another registered political party, despite federal registration. As such, the logo proposed by the Voluntary Euthanasia Party was considered to be acceptable under the Act.

The other objection claimed that the logo proposed by the Democratic Labour Party (DLP) was similar to and likely to be mistaken for the proposed logo of the Australian Labor Party. The VEC determined that as ‘Labour’ is a generic word it cannot be considered the property of any organisation, and that as the logos were visually different, it could not be considered that the two logos were likely to be mistaken. As such, the proposed logo was acceptable and was registered.

A total of 21 logos were registered prior to the 2018 State election (see Appendix 6). The only unsuccessful logo application was that of a party that did not meet the requirements for the party to be registered.

Information for candidates

Briefings and handbooks

The VEC held briefings for candidates and parties to help ensure they were familiar with their responsibilities under the relevant legislation, and informed about the election services and support available to them. Registered political parties were invited to meet individually with the Electoral Commissioner, Deputy Electoral Commissioner, and directors, while an information session was provided for independent candidates.

The VEC’s handbooks for candidates and scrutineers were available at briefings, information sessions, election offices, and on the website.

Newsletters

Newsletters were distributed to registered political parties and candidates throughout the election period, reminding them of relevant deadlines and providing further information on election arrangements and progress. This included details about the application of new legislation, schedules for counting activities, rechecks, and times and locations for declarations. Additionally a summary of daily counting activities was posted on the VEC website.

Candidates at Victorian State elections 2006–2018

<table>
<thead>
<tr>
<th>Year</th>
<th>Candidates</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>887</td>
</tr>
<tr>
<td>2014</td>
<td>896</td>
</tr>
<tr>
<td>2010</td>
<td>711</td>
</tr>
<tr>
<td>2006</td>
<td>707</td>
</tr>
</tbody>
</table>

Figure 4: Number of candidates contesting Victorian State elections 2006–2018.
to print pre-populated nomination forms for candidates to sign. The VEC then accepted electronic files that could be loaded directly into the Election Management System (EMS).

The VEC provided independent candidates with an online nomination form that then was printed and lodged in person with the Election Manager for that district. By scanning the barcode on the nomination form at the time of lodgement, details as entered by the candidate were loaded directly into the EMS.

**Group registration and group voting tickets**

Two or more candidates nominating for the same region in the Legislative Council can request that their names be grouped on the ballot paper in a specified order. Group registration closed at midday on Thursday 8 November – the same time as close of nominations for registered political parties.

A total of 146 groups were registered across the eight regions, compared with 133 groups in 2014 (see Figure 6). There were 145 groups from registered political parties and one group was registered by independent candidates. The Liberal and National parties registered composite groups in the Eastern, Northern and Western

**Nominations**

The nomination period opened on Wednesday 31 October and closed at 12 midday on Friday 9 November. Registered political parties were required to submit their nominations by 12 noon on Thursday 8 November. The VEC received 887 nominations for the 2018 Victorian State election, a slight decrease on the 896 candidates in 2014 (see Figure 4).

There were 507 candidates for the 88 Legislative Assembly (Lower House) districts compared with 545 in 2014. A total of 380 candidates stood for the eight Legislative Council (Upper House) regions, compared with 351 in 2014.

A total of 776 candidates were endorsed by registered political parties, and 111 candidates ran as independents (see Figure 5). Appendix 18 and Appendix 19 contain a full list of the candidates for the 2018 State election.

The processing of nominations for political parties and independent candidates was streamlined for the 2018 State election. Registered political parties were provided with an electronic application for recording nomination details for their candidates for each district and region. This enabled parties

**Independent and party candidates 2006–2018**

<table>
<thead>
<tr>
<th>Year</th>
<th>Independent candidates</th>
<th>Party candidates</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>111</td>
<td>776</td>
</tr>
<tr>
<td>2014</td>
<td>107</td>
<td>789</td>
</tr>
<tr>
<td>2010</td>
<td>87</td>
<td>624</td>
</tr>
<tr>
<td>2006</td>
<td>63</td>
<td>644</td>
</tr>
</tbody>
</table>

Figure 5: Candidates endorsed by registered political parties, Victorian State elections, 2006–2018.

**Group registration 2006–2018**

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>146</td>
</tr>
<tr>
<td>2014</td>
<td>133</td>
</tr>
<tr>
<td>2010</td>
<td>57</td>
</tr>
<tr>
<td>2006</td>
<td>75</td>
</tr>
</tbody>
</table>

Figure 6: Groups registered for Victorian State elections 2006–2018.
Services to candidates and political parties

Provision of electoral rolls to candidates

Under the Act, the VEC is required to provide roll data on request to registered political parties and candidates in an election. This list is provided as encrypted data.

The Act prescribes severe penalties for any misuse of electoral information. When providing the information, the VEC reminds recipients of their obligations, the permitted purpose for which the information can be used, the confidential nature of the information, the need for secure use, storage and destruction of the information, and of the existence of associated penalties for misuse.

Nomination deposits

Deposits were refunded for 480 candidates because they were elected and/or because they, or their Upper House group, obtained more than 4% of the first-preference votes in their electorates. In addition, four refunds were issued due to the candidate retiring before the close of the nomination period.

The deposits of 407 of the 887 candidates were forfeited because they were not elected and/or because they, or their Upper House group, obtained less than 4% of the first-preference votes in their electorates (see Appendix 4).

How-to-vote card registration

How-to-vote cards (HTVCs) must be registered by the VEC if they are to be handed out or otherwise made available within 400 metres of a voting centre on election day. The HTVCs carried by mobile early voting teams must also be registered. Any candidate, person or organisation can register a HTVC.

The registration period for HTVCs was from Monday 12 November to midday on Friday 19 November. A total of 1,039 HTVCs were registered for the election compared to 1,628 in 2014. There has been a steady increase in the number of HTVCs registered at state elections between 2006 and 2014 but a significant drop was recorded for 2018 as a result of legislative change allowing combined HTVCs for one or more districts or regions (see Figure 7). All registered HTVCs were available for viewing at the VEC head office in Collins Street, Melbourne and were published on the VEC website in accordance with legislation.

Figure 7: How-to-vote cards registered for Victorian State elections 2006–2018.

<table>
<thead>
<tr>
<th>Year</th>
<th>Registered HTVCs</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>672</td>
</tr>
<tr>
<td>2010</td>
<td>1,101</td>
</tr>
<tr>
<td>2014</td>
<td>1,628</td>
</tr>
<tr>
<td>2018</td>
<td>1,039</td>
</tr>
</tbody>
</table>

Victoria Regions. Seven independent candidates remained ungrouped in their respective regions.
By the numbers:
Services to candidates and political parties

- 887 candidates contested the 2018 State election
- 347 female candidates contested the 2018 State election
- 540 male candidates contested the 2018 State election
- 1,039 how-to-vote cards registered
- 36 candidates aged 18-24 years
- 99 candidates aged over 65 years