

**NOTICE OF PARTY REGISTRATION DECISION
APPLICATION TO ENTER AN ABBREVIATION OF THE PARTY
NAME IN THE REGISTER OF POLITICAL PARTIES APPROVED
SCIENCE PARTY**

Notice of decision under s 134(6) of the *Commonwealth Electoral Act 1918* ('Electoral Act') and Statement of Reasons

1. I am writing in accordance with s 134(6) of the Electoral Act to notify you of the determination of the application to enter an abbreviation of Science Party ('the Party') in the Register of Political Parties ('the Register').
2. I am authorised to determine this application to change the Register ('the Application') under Part XI of the Electoral Act as a delegate of the Electoral Commission.

Decision

3. I have decided to approve the Application. Consequently, I have entered the following changes in the Register:

Registered abbreviation: **Science**

Materials I have taken into account

4. In making my decision, I have had regard to:
 - the Application received by the Australian Electoral Commission (AEC) on 7 June 2021;
 - Part XI of the Electoral Act;
 - the Register and the Register of Political Parties of each Australian state and territory;
 - the AEC Party Registration Guide;
 - written particulars objecting to the Application (referred to as 'the Objection') received from a person referred to as Daniel;
 - the response to the objection from the Party ('the Response'); and
 - the Administrative Appeal Tribunal ('the AAT') cases of *Woollard and Australian Electoral Commission and Liberal Party of Australia (WA Division) Inc* [2001] AATA 166 (6 March 2001) ('*Woollard*') and *The Fishing Party and Australian Electoral Commission and The Australian Fishing and Lifestyle Party* [2009] AATA 170 ('the *Fishing Party Case*').

Findings of Fact

5. On the material before me, I make the following findings:

Procedural application requirements

6. The Application:
 - was in writing, signed by three members of the Party;
 - set out the name and address of the applicants and particulars of the capacity in which each applicant makes the application; and
 - was accompanied by a fee of \$500.

7. Accordingly, I am satisfied that the Application meets the requirements of ss 134(1)(b) and 134(2) of the Electoral Act.

Abbreviation of the Party name

8. The abbreviation, 'Science':

- does not comprise more than 6 words;
- is not obscene;
- is not the name, or an abbreviation or acronym of the name of another political party (not being a political party that is related to the Party) that is a recognised political party;
- does not so nearly resemble the name, abbreviation or acronym of the name of another political party (not being a political party that is related to the Party) that is a recognised political party that it is likely to be confused with or mistaken for that name or that abbreviation or acronym;
- is not one that a reasonable person would think suggests a connection or relationship exists between the Party and a registered party;
- does not comprise the words "Independent Party";
- does not contain the word "Independent" and the
 - name, or abbreviation or acronym of the name of a recognised political party;
 - or
 - matter that so nearly resembles the name or an abbreviation or acronym of a recognised political party that the matter is likely to be confused with or mistaken for that name or that abbreviation or acronym.

9. Accordingly, I am satisfied on the materials before me that there is no basis to refuse the Application under s 129 of the Electoral Act.

Written particulars

10. Section 132(7) of the Electoral Act provides that the Electoral Commission shall not register a political party (or change the Register) unless it has considered any particulars submitted objecting to a party's registration and any reply to particulars that may have been submitted under s 132 of the Electoral Act. Section 132 of the Electoral Act also outlines the requirements for submitting and processing objections to an application.

11. Section 132(2)(b) of the Electoral Act provides that a person can only submit written particulars objecting to an application to register a political party (or a logo in the case of subparagraph (iv)) on the following grounds:

- (i) the application does not relate to an eligible political party; or
- (ii) the application is not in accordance with s 126 of the Electoral Act (the section setting out the requirements to be met by an applicant party); or
- (iii) the application should be refused under s 129 of the Electoral Act (the name and abbreviation tests); or
- (iv) the Electoral Commission should refuse to enter a logo of the Party in the Register under s 129A of the Electoral Act (the logo test).

12. On 9 July 2021, the Application was advertised in 10 major newspapers circulating in each State and Territory of Australia and published on the AEC website. The closing date for objections was 9 August 2021.

13. The Electoral Commission received one objection:

Written particulars from	Date received	Administrative requirements met	Grounds for objection under the Electoral Act
Daniel	8 August 2021	Yes	s 126 or s 129

14. Summary of Daniel's objection:

"The application should be refused under Section 126 (2)(a) and Section 129 of the *Commonwealth Electoral Act 1918*."

"The word "Science" has a universally well-respected meaning, that is generally regarded as: '*All updated knowledge of the nature and dynamics of the entire material and physical universe*.'"

"As such, dedicated scientists and indeed democratic voting citizens, would not want such an esteemed word to be hijacked by just one political party for their own political, economic, social, justice, environmental, racial or cultural interpretation."

"Hopefully, Section 129 of the Act will not result in the word 'Science' being precluded from being used in the future by political parties that might aspire to a higher rigour of Science than is published in the policies of the already registered Science Party."

"It is in everybody's future interests, not just in the success of just one political party, that humanity can benefit from Science, and have the choice of any political party that incorporates the word science in their name."

15. On 19 August 2021, the Party responded to the objection. The Response was published on the AEC website in accordance with s 132(6) of the Electoral Act.

Objections to the Application

Administrative requirements

16. For objections to be assessed as valid, they need to meet the administrative requirements under ss 132(2)–(3) of the Electoral Act.
17. I consider that the Objection addressed the administrative requirements of ss 132(2) and 132(3) of the Electoral Act as it was submitted within the consideration period (on or before 11.59PM on 9 August 2021, applying ss 2G(1) and 36(1) of the *Acts Interpretation Act 1901*); was signed by the person submitting the Objection and specified an address of that person that did not consist of a post office box number (s 123(1)).

Consideration of objections

18. I do not consider that the Objection has provided grounds under s 126 (or s 134 as modified for a change to the Register application) of the Electoral Act that indicate that the Application has not been made in accordance with the requirements for a 'change to the Register' application under s 134 of the Electoral Act (noting that the Objection references s 126 of the Electoral Act).

19. I am of the view that the objection has been made on the basis that the abbreviation of the Party name, Science, is prohibited under s 129 of the Electoral Act.
20. I have also considered, and reject, the Objection, for the following reasons.
21. When undertaking an initial assessment of the Application, I considered the Party's proposed abbreviation against the requirements of s 129 of the Electoral Act, relevant case law, including *Woollard*, and reviewed the Register and the registers for each State and Territory for parties with a similar name, abbreviation or acronym.
22. Other than the applicant Party, there were no parties found on either the federal or State and Territory registers that contained the word 'Science' that is not a related party. Therefore, I determined that the Party's proposed abbreviation is not the exact name, abbreviation or acronym of the name of a recognised party that is not a related party and was not prohibited under s 129 of the Electoral Act. As a result, the Application was advertised for public consideration.
23. I find there are no grounds raised in the Objection that provide additional reasons I have not already considered as part of the initial assessment of the Application, and remain of the view that the abbreviation 'Science' is not prohibited under s 129 of the Electoral Act.

Your review rights

24. Under s 141(2) of the Electoral Act, a person (including an organisation) affected by the decision who is dissatisfied with the decision may make a written application to the Electoral Commission for internal review of this decision within 28 days after the day on which the decision first comes to the notice of that person. There is no fee payable for requesting an internal review.
25. Requests for review of this decision should be addressed to Mr Tom Rogers, Australian Electoral Commissioner, and emailed to commission.secretariat@aec.gov.au or by post to Locked Bag 4007, Canberra City ACT 2601.

How do I request an internal review?

26. In accordance with ss 141(2) and 141(3) of the Electoral Act, an application for review must:
 - be in writing;
 - specify the name of the applicant; and
 - set out the reasons for making the application.
27. If you wish to apply for additional time beyond the 28 days to make an application for review of the delegate's decision, please also include the reasons for the application for additional time.

Who conducts an internal review?

28. The Electoral Commission, which is comprised of three members: the Australian Electoral Commissioner, a judicial member and a non-judicial member, conducts internal reviews.
29. Under s 141(4) of the Electoral Act, the Electoral Commission review an application for review and make a decision to either:
 - affirm the decision under review;

- vary the decision under review; or
- set aside the decision under review and make a decision in substitution for the decision set aside.

What can I do if I disagree with the outcome of an internal review?

30. If an internal review decision has been made by the Electoral Commission and you do not agree with that decision, a person whose interests are affected, and who is dissatisfied with the decision made by the Electoral Commission may apply to the Administrative Appeals Tribunal (AAT) for an external merits review of the decision. More information on how to apply to the AAT and any applicable fees can be found on its website:
www.aat.gov.au/applying-for-a-review/how-to-apply.

Freedom of Information

31. Under the Freedom of Information Act 1982 (the FOI Act) any person has the right to request access to documents held by the AEC. For more information about access to documents under the FOI Act please visit the AEC's "Access to AEC information" webpage at:
www.aec.gov.au/information-access/index.htm.
32. Should you have any queries regarding party registration, please contact the AEC on 02 6271 4552, visit www.aec.gov.au or email fad@aec.gov.au.

Yours sincerely
(signed)

Joanne Reid
Assistant Commissioner
Delegate of the Electoral Commission

3 September 2021