

Mozart [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

5 February 2019

The Electoral Commissioner
c/o Funding and Disclosure
Australian Electoral Commission

Dear Commissioner,

Re: objection to registration of Fraser Anning's Conservative National Party

In accordance with section 129 of the *Commonwealth Electoral Act 1918*, the application for registration of the aforementioned political party should be rejected because its proposed abbreviation ('The Conservative Nationals') too closely resembles the abbreviations of two registered political parties, namely the Australian Conservatives (formally abbreviated as 'Conservatives') and the National Party of Australia (abbreviated as 'The Nationals').

In *Woollard and Australian Electoral Commission* [2001] AATA 166 (6 March 2001) the Administrative Appeals Tribunal ('AAT') noted that '[p]olitical parties in Australia use, and historically have used, in their names generic words such as "Australia", "liberal", "labour", "democrat", "national", "christian", "progressive", "socialist" and the like', and that this is permissible within the context of the Act.

Both 'conservative' and 'nationals' belong to that category of generic words.

However, in that decision the AAT suggested that the name 'Liberals for Australia' could present a 'real risk that the elector will vote for one registered party [namely the Liberal Party of Australia] because he or she mistakes its name for that of another' (paragraph 42).

The AAT went on to say that 'it might be said that an elector confronted with the choice between "Liberal" and "Australian Liberal" may be left in a state of such uncertainty as to which is which that he or she could not make the informed choice intended ... Section 129(d) is intended to protect electors from the risk of such uncertainty, and from the possibility that electors, driven to rely on chance, might choose wrongly' (paragraph 43).

It is submitted to the Australian Electoral Commission that the abbreviation 'The Conservative Nationals' is as insufficiently distinct from the abbreviations of the Australian Conservatives and the National Party of Australia as 'Australian Liberals' would be from 'Liberal'.

Consistent with the AAT's decision in *Woollard* this would be a breach of section 129 of the *Commonwealth Electoral Act*.

Yours faithfully,

[REDACTED]

Mozart [REDACTED]