



# Foreign Influence Transparency Scheme

## Factsheet 9

April 2019

## Obligations during voting periods

People and entities who need to register under the Foreign Influence Transparency Scheme have specific obligations during voting periods (including election periods). Voting periods involve heightened political activity and it is important that there is transparency of activities intended to influence political or government processes so that voters can make informed decisions about their vote.

The particular obligations that apply during voting periods include:

- reviewing registration information and confirming it is correct or updating the information
- reporting any registrable activities undertaken during the voting periods (if relating to the relevant vote or election).

### Voting periods<sup>1</sup>

The voting period for a federal election or referendum is the period from the day the writs are issued to the end of the final polling or voting day. The voting period for a vote, survey or other process prescribed by the *Foreign Influence Transparency Scheme Rules 2018*, is the period prescribed by the rules.

**Special note:** the additional obligations described in this factsheet do not apply to by-elections.

### Reviewing information

When a voting period begins,<sup>2</sup> each person registered under the scheme must, within 14 days:

- review the information they have provided in relation to their registration
- provide a notice (through the online registration portal) to:
  - confirm that their registration is up to date, or
  - if the information is not up to date, update the information.

An exception to this obligation is where a person has registered under the scheme or renewed a registration less than 14 days before the beginning of the voting period.

Registrants can confirm and update their details at any time by logging into their user account.

<sup>1</sup> Section 10 of the *Foreign Influence Transparency Scheme Act 2018* defines 'voting period'

<sup>2</sup> Section 36

## Reporting on activities during voting periods<sup>3</sup>

The reporting timeframes for registrable activities that are undertaken during a voting period are significantly reduced. This is necessary to ensure that transparency about registrable activities undertaken on behalf of foreign principals in a voting period is provided to the public in a timely manner. Members of the public will be able to take this information into account when assessing policy statements made by political parties and candidates.

A person **must** report any registrable activities undertaken during a voting period. This must be done **within seven days** of the activity being undertaken. Where activities are undertaken over several days, reporting must be completed within seven days of the activity commencing.

These obligations apply to any person or entity, even if they have not previously registered under the scheme. Any person or entity that undertakes registrable activities on behalf of a foreign principal for the purpose of political or governmental influence **must** register under the scheme within **14 days** of that activity being undertaken. Where a person has not previously been registered but undertakes these activities during a voting period, then they must make a report of these activities on the day that they apply for registration

A person must also report disbursement activities undertaken during a voting period **within seven days** of the value of disbursements reaching the electoral donations threshold or a multiple of the threshold. The current electoral donations threshold is \$13,800. Registrants must report every time the threshold, or a multiple of the threshold, is met.

Where a person has undertaken disbursement activity that reaches the electoral donations threshold (or a multiple of threshold) but the person is not yet registered under the scheme, then they must ensure that they report this activity on the day that they apply for registration. A person or entity that undertakes any registrable activity on behalf of a foreign principal for the purpose of political or governmental influence must ensure that they register under the scheme within 14 days of that activity being undertaken.

**Factsheet 5** provides information on the activities that are registrable under the scheme.

### Failure to comply

Registrants must meet all reporting obligations under the *Foreign Influence Transparency Scheme Act 2018*. It is an offence to fail to comply with obligations. Refer to **Factsheet 17** for information on penalties for non-compliance.

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<sup>3</sup> Sections 35 and 37