



Our ref. 21009614

23 December 2021

Ioanna Culleton  
Secretary of Great Australian Party  
By Email: culleton00099@gmail.com

**Australian Government Solicitor**  
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**COPY TO:**

Ian Nelson  
Registered Officer of Great Australian Party  
By Email: ianjnelson@gmail.com

Dear Ms Culleton

**Authorisation requirements under the Commonwealth Electoral Act 1918 (Cth)**

1. We are instructed to act for the Australian Electoral Commission (AEC) in relation to the matters of concern raised in its letter dated 22 November 2021 and email dated 20 December 2021, copies of which correspondence are **attached** for your convenience.
2. The matters of concern raised by our client are serious. As the AEC has noted, the Great Australian Party (GAP) is currently communicating unauthorised electoral matter through the Great Australian Party website, Facebook page and YouTube channel as well as through Mr Rodney Culleton's Twitter page, being electoral matter that does not comply with the Authorisation requirements of s 321D of the *Commonwealth Electoral Act 1918* (the Act).
3. Each time the unauthorised electoral matter is viewed, the notifying entity (in this case the GAP) may be liable to pay a civil penalty up to \$26,640. That is, each time the unauthorised post and/or page is viewed, a penalty of \$26,640 can be imposed. For example, we note that the GAP Facebook page has 111,000 followers and has attracted 510 reviews. Depending on the number of times the unauthorised electoral matter on the Facebook page has been viewed, you might be liable for a very significant civil penalty, the precise quantum of which will not be known until the concerns raised by the AEC have been addressed (that is the posts and/or page have been authorised in compliance with the Act).
4. Compliance with the Authorisation requirements of the Act is straightforward and must be ensured without further delay.
5. If you maintain that the matters of concern raised by the AEC do not give rise to a breach of the Act, we invite you to explain your position to us.

6. We have been instructed to monitor the online sites listed above over the next 2 weeks. If non-compliance with the requirements of the Act are identified to be ongoing, we expect that we will be instructed to seek interlocutory injunctive relief from the Federal Court of Australia as the first step in a proceeding that will seek the imposition of civil penalties for breaches of the Act by you. Further, we will rely on this letter in an application for indemnity costs in any proceeding that the AEC is required to bring.
7. We recommend that you seek legal advice.

Yours sincerely



**Matthew Blunn**

National Leader AGS Dispute Resolution  
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