

Classification: OFFICIAL

FAD / FUNDING AND
DISCLOSURE
REFORM

Registration Guideline for Nominated Entities



AEC

Australian Electoral Commission

Published by the Australian Electoral Commission

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Introduction

Division 1A of Part XX of the *Commonwealth Electoral Act 1918* (Electoral Act) sets out eligibility requirements for registration of entities that have a certain type of connection with registered political parties (RPPs) and that certain information regarding this registration is published on the Transparency Register.

RPPs may apply to register an entity as the party's nominated entity (NE) if it meets the registration requirements and the entity has given consent.

The Electoral Act refers to both the Australian Electoral Commission (AEC) and the Electoral Commissioner (EC). For ease of reading, this document will refer to both as the AEC. Readers should refer to the Electoral Act in determining the specific nature of relevant provisions discussed, including to whom they relate

Purpose

The *Registration Guideline for Nominated Entities* (the guideline) provides information and guidance for relevant individuals, groups and entities on registration as a NE under Division 1A of Part XX of the Electoral Act.

The guideline explains:

- registration of NEs
- application for registration as a NE
- determination and refusal of an application for registration
- notifying changes to information on the Transparency Register
- cancellation of registration
- review of decisions.

Familiarisation with the guideline will support entities to meet their legislative obligations in relation to registration and keep their information up to date.

Important information

The guideline uses text boxes to highlight important information. Each text box is prefaced with a symbol. For example:



WARNING. A warning symbol indicates information relating to a legal obligation under the Electoral Act.



USEFUL TIP. An information symbol indicates a useful tip.



DUE DATE. A clock symbol indicates a due date.

Legislation

Legislative provisions referenced in the guideline are from the Electoral Act as amended by the *Electoral Legislation Amendment (Electoral Reform) Act 2025*.

Commonwealth Electoral Act 1918 Part XX

Division 1A – Registration of significant third parties, associated entities and nominated entities, and the Transparency Register	Subdivision BA—Registration as the nominated entity of a registered political party
Part XI - Review of certain decisions	

Disclaimer

The information in this publication is intended to provide general guidance only. It does not constitute legal, financial, or other professional advice. Persons and entities should seek their own professional advice to find out how the Electoral Act applies to their particular circumstances. The AEC has made every reasonable effort to provide current and accurate information, but it does not make any guarantees regarding the accuracy, currency, or completeness of that information. Parties who wish to re-publish or otherwise use the information in this publication must check this information for currency and accuracy prior to publication.

Please refer to www.aec.gov.au to access the AEC’s current publications.

Roles and responsibilities

The guideline applies to the following:

- entities that are nominated, and consent to registration, as an NE of a registered political party (RPP)
- RPPs that nominate an entity to be the party's NE
- Associated entities (AE) that are nominated by an RPP as an NE.



Section 287MB(2) states that an entity may be registered both as an associated entity and a nominated entity.

Entities that meet the relevant criteria for registration as an NE are responsible for:

- a) nominating a financial controller for the entity (see below '*Key elements of an application for registration*'), and
- b) once registered, notifying the AEC of any changes to information of the entity.

Registration eligibility

What is a nominated entity?

RPPs can apply to register an entity (except a political entity) as the NE of the party with the entity's consent.

Only one entity can be registered as the NE of an RPP.



A political entity is any of the following:

- a) a registered political party;
- b) a state branch of a registered political party
- c) a candidate in an election (including a by-election).

Eligibility requirements

Entities are eligible to be registered if, in a calendar year, the entity meets all of the following conditions (section 287MB):

- a) the entity is incorporated in Australia
- b) the entity has its head office or principal place of operations in Australia
- c) the entity operates wholly or to a significant extent, for the benefit of one or more RPPs including the applicant party
- d) the entity is not a political entity
- e) the entity has consented to be registered as the NE for the applicant party
- f) no other entity is registered as the NE of the applicant party, and
- g) the entity is not registered as the NE for another RPP.



One of the criteria for registration as an AE is the entity must operate for the benefit of an RPP.

The effect of this is all NEs are required to be registered as AEs.

Example: Kangaroo Holdings operates wholly, or to a significant extent, for the benefit of the Kangaroo Australia Party and has consented to be registered as the NE of that party.

As Kangaroo Holdings operates for the benefit of an RPP, it meets the criteria for registration as an AE (s 287H) and therefore is also required to be registered as an AE.

Consent to registration

Entities must consent to being registered as the NE of an RPP.

The entity consent form is included in the [Register a Nominated Entity application form](#).



An entity that is registered as the NE of an RPP is part of that RPP's expenditure group (s 302ALF). Certain exchanges of funds, and dispositions of property, between an RPP and core members of its expenditure group, including any registered NE, are not considered gifts under the Act. (see s 287AAB(3 - 3A for further information)."

Expenditure by members of an expenditure group is subject to expenditure group caps. Refer to the **Expenditure Caps Guide**.

Application for registration

Key elements of an application for registration

Applications for registration of an NE must be made by the relevant RPP using the approved form – Register a Nominated Entity application form ('Application form').

The Application form sets out the information the AEC needs to decide on registration as a NE.

Applicants must provide details of:

- the RPP that is nominating the entity
- the entity and relevant contact information
- confirmation that it meets the registration requirements for a NE
- the nominated financial controller of the entity, and
- the entity's consent to be the NE of the party.

Financial controllers

NEs must nominate a financial controller, which the Electoral Act defines as:

- for an entity that is a company, the company secretary
- for a person or entity that is a trustee of a trust, the trustee
- in all other cases, the person responsible for maintaining the entity's financial records.

The financial controller must meet the following conditions:

- be an individual who is at least 18 years old
- sign a form consenting to the nomination, and
- sign a declaration that they are eligible for nomination.



A person will not be eligible for nomination as financial controller of an entity if they have been convicted of an offence against the funding and disclosure provisions of the Electoral Act.

Restrictions on names

An application will be refused if the entity's name does not conform with the rules on entity names.

Entities will not be registered if the name (or its abbreviation):

- is obscene, frivolous or vexatious
- is the same as, or is likely to be confused with, or mistaken for, the name of a party, STP or AE to which the entity is not related
- implies a relationship or connection with a party, STP or AE when no such relationship exists, or
- uses the words 'independent party' or 'independent' along with the name, abbreviation or acronym of a party, STP or AE, or in a way that is likely to be confused with the name, abbreviation, or acronym of that entity.



Naming rules that apply to registered political parties also apply to registered entities. The specifics of this depend on the type of entity applying for registration.

These rules are set out in Part XI of the Electoral Act under subs 129(1) (except para 129(1)(a)), and subs 129(3) (except para 129(3)(a)(ii)).

Registration as an associated entity

All NEs must also be registered as AEs.

An entity being registered by an RPP as an NE will also need to apply for registration as an AE, if not already registered as such.

Refer to the **Registration Guideline for Associated Entities** for information on registering as an AE.



Entities must register if they meet the relevant registration requirements. An entity must be registered within 90 days of becoming required to be registered.

An application for registration as an AE must include the name of the entity's financial controller, the RPP with which the entity is associated and the details of each federal account of the entity.

Determination and refusal of registration

In determining an application for registration, the AEC considers relevant documents and information including, but not limited to:

- a) information about the entity provided in the application for registration
- b) information about the entity held by the AEC or that is publicly available, and
- c) information about any related entities or organisations (including RPPs), or branches of the entity as identified in the application, held by the AEC or that is publicly available.

The AEC may request additional information from the party or the entity relevant to the determination of the application.

It is important to include all relevant information in the application for registration and provide additional information that may be requested to ensure timely determination.

The AEC must refuse an application for registration if:

- a) the entity does not meet the eligibility requirements as a NE under s 287MB, or
- b) the entity's name does not conform with entity naming restrictions.

Notice of decision

The AEC will give written notice to both the RPP and the entity of the decision to register or refuse to register the NE.

The AEC will publish the notice of decision on the AEC's website.



An entity's registration as an NE is only effective when the entity is registered on the Transparency Register, not when the entity is notified of the AEC's decision.

Obligations once registered

Annual return upon registration

All NEs must be registered as AEs.

Upon registration as an AE, the NE's financial controller must lodge a financial disclosure return for the NE. The return for the previous calendar year must be lodged within 30 days of becoming registered as an AE.

This requirement does not arise on registration as a NE. It only arises on registration as an AE.



An AE has 30 days from the date of registration to lodge a return for the previous calendar year.

The AEC cannot extend this deadline.

For more information on annual returns including what the return must include, refer to the **Annual Returns Guideline for Associated Entities**. Guidance on NE annual returns for the calendar year after registration is in the **Annual Returns Guideline for Nominated Entities**.

Notice of changes to information

Once registered, NEs must meet the registration requirements at all times.

Changes to entity details (such as a new financial controller) must be provided to the AEC within 90 days of the information ceasing to be correct or complete.

A [Change to the Transparency Register form](#) is available on the AEC website.



Registered entities **must** give written notice of any changes to their information on the Transparency Register that is not correct or complete.

A civil penalty applies if an entity does not notify the AEC of changes within 90 days.

Requests for changes to entity information must take account of registration and naming restrictions, where relevant.

Publication on the Transparency Register

The AEC will publish certain entity information on the Transparency Register.

This includes, but is not limited to, publishing the names of the RPP, the NE and the entity's financial controller on the Transparency Register.

Other obligations under the Electoral Act

Registration as a NE confers a number of other obligations under the Electoral Act. The information contained in the following guides provide details of those obligations:

- Donation Disclosure Notice Guideline for Significant Third Parties, Third Parties, Associated Entities and Nominated Entities
- Expenditure Caps Guideline for Political Parties and Expenditure Groups
- Annual Returns Guideline for Nominated Entities

Cancellation of registration

Application for cancellation

An NE or an RPP may apply to the AEC to cancel the NE's registration. The application for cancellation must be made using the [Application for cancellation of nominated entity registration form](#).

When an application for cancellation of registration is received, the AEC will cancel the registration.

In addition to cancellation on application by the entity or the party, the AEC will cancel the registration if it is satisfied that:

- a) the party has ceased to be a RPP
- b) the entity is not eligible to be registered as an NE (no longer meeting the requirements under s 287MB), or
- c) the financial controller of the entity or agent of the party have been convicted of an offence under Part XX (contrary to the eligibility requirements for those roles).

Requests for information

The AEC may request information from a NE to determine whether it continues to meet the eligibility requirements for registration.

Notice of decision

Following cancellation of registration of a NE by the AEC or on application by the party or the entity, the AEC will give written notice of cancellation of registration to both the party and the entity.

The cancellation notice will also be published on the AEC's website.

Review of decision

A person affected by a decision to refuse to register or to cancel registration of an entity as an NE may apply for a review of the decision.

The application for review must be made in writing to the Electoral Commission and include the name of the person affected by the decision, their street address and the reasons for making the application.

Applications should be submitted within 28 days after the day on which the decision first comes to the notice of the person affected.

Application for a review by the ART

A person affected by a decision to refuse to register or to cancel registration of an entity as a NE may seek a review by the Administrative Review Tribunal (ART). Such a review will be subject to the *Administrative Review Tribunal Act 2024*.

Information on how to apply to the ART and any applicable fees can be found on the ART website: www.art.gov.au.

Document information

Document control

Document title	Registration guide for nominated entities
Version number	1
Version date	20-Feb-26