

NOMINATION FORM

Nomination of a Senator

EXPLANATORY NOTES

The advice below provides guidance on completing the nomination form.

For more information on completing the qualification checklist relating to section 44 of the Constitution please see the qualification checklist explanatory notes.

Information on the Nomination form is collected under the provisions of the *Commonwealth Electoral Act 1918*. For each candidate the AEC will publish candidate information, the qualification checklist, and any additional documentation provided by the candidate.

This form must be accompanied by one of the Nomination of a Senator forms, 59-a to 59-e.

Notes to assist completion

The numbers in the boxes at the top of nomination form page 1 of 2

Candidate of

should correspond with the Order of candidates section in the accompanying nomination forms 59-a, 59-b or 59-c.

Candidate information on AEC website

After the declaration of nominations, the AEC publishes candidate information to its website. This includes name and occupation.

Question 2 – Form in which given name(s) to appear on ballot paper

A given name for use on the ballot paper must be the candidate's name and may be:

- an initial standing for that name, or
- a commonly accepted variation of that name (including an abbreviation, truncation or alternative form of that name).

Question 3

In accordance with the *Commonwealth Electoral Act 1918*, the town/suburb of the candidate's place of residence and the state/territory in which the candidate is nominating are stated at the declaration of nominations, which takes place 24 hours after nominations close, unless they are enrolled as a silent elector.

Question 5

The AEC may need to contact candidates or their representatives regarding their candidacy. Please provide sufficient contact details to provide a clear communication channel.

Question 6

Occupation must be stated. Senators standing for re-election are entitled to show their occupation as Senator. Please also provide gender.

Question 7

Candidates endorsed by registered political parties should provide the party name (either in the abbreviated form or full party name) and ensure that this form is accompanied by one of the following forms:

- **Form 59-a** — Multiple party group nomination by registered officer,
- **Form 59-b** — Group Nomination by registered officer, or
- **Form 59-d** — Single nomination by Registered Officer.

The party name or abbreviation will appear on the ballot paper under the candidate name.

Candidates nominated by 100 electors can elect to have the word Independent shown under their name on the ballot paper.

Question 8

If you want to be included in a Senate group, you must tick 'Yes' and ensure that this form is accompanied by one of the following forms:

- **Form 59-a** — Multiple party group nomination by registered officer,
- **Form 59-b** — Group Nomination by registered officer, or
- **Form 59-c** — Group of unendorsed candidates nomination.

If you do not want to be included in a Senate group, tick 'No'.

Candidates nominating as part of an unendorsed group cannot have the word 'Independent' printed on the ballot paper next to their names.

Candidate statement and declaration

Please read the candidate statement and declaration carefully before signing the nomination form.

Candidates must declare they are:

- an Australian citizen
- at least 18 years of age
- an elector or qualified to be an elector
- not incapable of being chosen or sitting as a Senator by virtue of section 44 of the Constitution.

Your attention is drawn in particular to section 44 of the Constitution of the Commonwealth of Australia:

Any person who:

- i. is under any acknowledgment of allegiance, obedience, or adherence to a foreign power, or is a subject or a citizen or entitled to the rights or privileges of a subject or a citizen of a foreign power; or
- ii. is attainted of treason, or has been convicted and is under sentence, or subject to be sentenced, for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer; or
- iii. is an undischarged bankrupt or insolvent; or
- iv. holds any office of profit under the Crown, or any pension payable during the pleasure of the Crown out of any of the revenues of the Commonwealth; or
- v. has any direct or indirect pecuniary interest in any agreement with the Public Service of the Commonwealth otherwise than as a member and in common with the other members of an

incorporated company consisting of more than twenty-five persons;

shall be incapable of being chosen or of sitting as a Senator or a member of the House of Representatives.

But subsection (iv) does not apply to the office of any of the Queen's Ministers of State for the Commonwealth, or of any of the Queen's Ministers for a State, or to the receipt of pay, half pay, or a pension, by any person as an officer or member of the Queen's navy or army, or to the receipt of pay as an officer or member of the naval or military forces of the Commonwealth by any person whose services are not wholly employed by the Commonwealth.

*Answering 'Yes' to the question about section 44 of the Constitution asserts you are not incapable of being chosen or sitting as a Senator.

Candidates who have any doubts about their eligibility, by virtue of section 44 of the Constitution, are advised to obtain their own legal advice.

For further information refer to the Candidates Handbook and the Nomination Guide.

If the candidate is an Independent Senator, elected as an unendorsed candidate at the previous election, and is not endorsed by a registered political party, the nomination form need only be signed by at least one other person entitled to vote at the election.

Giving false or misleading information is a serious offence.

A nomination form which has not been signed by the candidate cannot be accepted. The qualification checklist forms part of the nomination form.

This form cannot be submitted until after the writ for the election has been issued.

Appointment of Candidate Agent

Candidates have the option of appointing an Agent to act on their behalf under the election funding and financial disclosure provisions of the *Commonwealth Electoral Act 1918*. If you choose to appoint an Agent you should complete an Appointment of Candidate Agent form and lodge it with the AEC before the close of nominations. Copies are available from AEC offices and the AEC website at www.aec.gov.au.

QUALIFICATION CHECKLIST

Relating to your eligibility under Section 44 of the Australian Constitution

EXPLANATORY NOTES

The advice below provides guidance on completing the qualification checklist.

NOTE: The AEC has no role, power or function in assessing the eligibility of candidates under section 44 of the Constitution. Questions of eligibility relating to section 44 are matters for the High Court.

The AEC is not required to determine whether answers are correct; whether additional documents support contentions; whether a candidate is satisfied that a document supports a contention; or inconsistencies in the responses in the nomination form, qualification checklist, and/or with or in additional documents.

The AEC simply considers whether the person has duly nominated and has complied with the requirements for nomination under the *Commonwealth Electoral Act 1918*.

- (1) The qualification checklist forms part of the candidate nomination form. It is set in accordance with sections 170, 170A and 170B and Form DB in Schedule 1 of the *Commonwealth Electoral Act 1918* (the Act).
- (2) The qualification checklist aims to demonstrate a candidate's eligibility under section 44 of the Constitution to be elected to Parliament, and under subsection 170A(1) of the Act:
 - a) to ensure that electors are informed about the eligibility of candidates in elections under the Constitution and the Act; and
 - b) to provide a way for candidates to actively consider their circumstances and whether they are eligible to be elected.

Candidates should read all accompanying instructions carefully before completing the qualification checklist.
- (3) Questions in the qualification checklist that have check boxes (i.e. requiring a yes, no or N/A answer) are mandatory. Failure to provide an answer or providing more than one answer to any of the mandatory questions is grounds for rejection of the nomination.
- (4) If a candidate answers 'yes' to question 10 (which relates to a candidate's foreign citizenship or otherwise), it is mandatory to provide at least one document that the candidate believes supports their contention, as proof of their subsequent response to question 10a. Failure to do so is grounds for rejection of the nomination.
- (5) All supporting documents must be submitted to the Australian Electoral Commission (AEC) in hard copy (i.e. no digital media) together with the qualification checklist and nomination form(s). The candidate must be satisfied that all information and additional documents provided support their contention.
- (6) Candidates should provide copies of additional documents (not originals) as the AEC is unable to return them. There is no requirement for copies of additional documents to be certified.
- (7) Prior to submitting additional documents to the AEC, it is the candidate's responsibility to redact, omit or delete any information that they do not want published, for example, their residential address if they are a silent elector or personal information of other individuals whose details may be included in the document.
- (8) Candidates must not include silent electors' addresses in the checklist and any additional documents unless it is the candidate's address or there is consent from the elector. The AEC will redact silent electors' addresses included in error or if the address has been deleted from the electoral roll since the document was provided. However, the AEC is not under any duty to determine whether silent electors' addresses have been included.
- (9) The AEC may omit, redact or delete from submitted documents any information the AEC deems unreasonable, unacceptable, inappropriate or offensive (subsection 170B[6] of the Act).

- (10) The qualification checklist together with any additional document provided by each valid candidate will be published on the AEC website (www.aec.gov.au), as soon as practicable after the declaration of nominations. They will remain published until 40 days after the return of the writs (section 181A of the Act).
- (11) The AEC may decide not to publish, or remove published documents if the AEC deems the publication of the documents unreasonable, unacceptable, inappropriate or offensive (subsection 181A[3]).
- (12) Where a nomination is rejected under section 172 of the Act, the AEC will not publish the qualification checklist or any additional document submitted.
- (13) For those candidates declared elected, the AEC will arrange for the qualification checklist, and any additional documents of the successful candidates to be delivered to the relevant House of Parliament for tabling.

NOMINATION FORM

Nomination of a Senator

Information on this form is collected under the provisions of the *Commonwealth Electoral Act 1918*.
 If completing by hand please write clearly and use BLOCK LETTERS and black or blue ink.
 Please read the notes before completing this form.

To the Australian Electoral Officer for the State/Territory of _____
 _____ Candidate _____ of _____ If applicable

1. Your name(s) as they appear on the Commonwealth Electoral Roll
 or, if not enrolled, the name(s) under which you are qualified to enrol

Family name _____
 Given name(s) _____

2. Given name(s) as you want them to appear on the ballot paper
 If same as above, tick the box

_____ or _____

3. Do you have silent enrolment on the Commonwealth electoral roll?

Yes ▶ You are not required to disclose your residential address ▶ Go to Question 4
No ▶ Please complete your residential address details

_____ State _____ Postcode _____

4. Postal address
 If same as residential address provided above, tick the box

_____ or _____

_____ State _____ Postcode _____

5. Contact details

BH () _____

AH () _____

Fax () _____

Mobile _____

Email _____

6. Occupation and Gender

Occupation _____ Gender _____

7. I have been endorsed by a registered political party

Yes ▶ Name of registered political party _____

No ▶ I request that the word **'Independent'** be printed on the ballot paper adjacent to my name

Yes **No**

8. I request my name be included in a Senate group

Yes ▶ In accordance with the group form (59-a, 59-b, or 59-c) accompanying this nomination form

Note: If you are an Independent nominating as part of an unendorsed Senate group, you cannot have the word 'Independent' printed on the ballot paper adjacent to your name.

No _____

Continued overleaf

Nomination of a Senator

Candidate statement and declaration – Please read the nomination form explanatory notes carefully before signing the nomination form.

I, the candidate named above, state that I am an Australian citizen by:

Birth Date of birth / /

Place of birth

Naturalisation Date citizenship granted / /

Other means Details

I am at least 18 years of age	Yes	No
I am an elector or qualified to be an elector	Yes	No
I am not, by virtue of section 44 of the Constitution, incapable of being chosen or of sitting as a Senator (see nomination form explanatory notes page 2*)	Yes	No

and I declare that:

- I am qualified under the Constitution and the laws of the Commonwealth to be elected as a Senator.
- I am not, and do not intend to be, a candidate in any other election to be held on the same day as the election to which the above nomination relates.
- I consent to act as a Senator for the State/Territory named above if elected.
- I wish my given name(s) to appear on the ballot paper in the form shown at Question 2 above.

Signature of candidate Date

 / /

AEC Use Only

Agent form received?	Sent to FAD	Initials
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="text"/> / <input type="text"/> / <input type="text"/>	<input type="text"/>

AEO received	Date	Time (24 hour)
	<input type="text"/> / <input type="text"/> / <input type="text"/>	<input type="text"/> : <input type="text"/>

AEO signature

Entered in ELMS	Date	Time (24 hour)	Initials
	<input type="text"/> / <input type="text"/> / <input type="text"/>	<input type="text"/> : <input type="text"/>	<input type="text"/>

QUALIFICATION CHECKLIST

Relating to your eligibility under Section 44 of the Australian Constitution

Candidate's name

Please fill out this checklist.

Be aware that completing this checklist does not guarantee that you are eligible to be elected under section 44 of the Australian Constitution or under the *Commonwealth Electoral Act 1918*.

If you have any doubts about your eligibility, you should seek independent legal advice.

If you provide information in this checklist that you know is false or misleading, you may commit an offence against the *Criminal Code* with a maximum penalty of imprisonment for 12 months, \$12,600 or both.

You must answer every question in the checklist that has check boxes by marking one, and only one, of the boxes provided. Your nomination will be rejected if you do not mark any of the boxes, or if you mark more than one of the boxes, provided for any of these questions.

Please provide supporting documentation as appropriate. You may provide additional documents if you are unable to fit all your responses in this checklist.

Note: If you answer 'yes' in question 10 then you **must provide at least one document** in response to question 10a.

You should not include information in this checklist, or in any additional documents you provide, that is inappropriate in any way. If you do, the information may be redacted by the Electoral Commissioner and not published on the Australian Electoral Commission's website.

You may choose to redact information (for example, your own or another person's personal information) from additional documents before providing them. Redactions must be in accordance with any directions of the Electoral Commissioner.

The candidate statement and declaration that you have made elsewhere in this nomination also relate to your eligibility to be elected. In that statement and declaration:

- (a) you have declared that you are qualified under the Constitution and the laws of the Commonwealth to be elected as a Senator or member of the House of Representatives; and
- (b) you have stated that you are an Australian citizen.

Questions marked with an asterisk (*) are mandatory

1. Do you know the place of birth of each of your parents and grandparents (whether biological or adoptive)?*	YES NO
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1a. Please provide any relevant details (for example, why you do not know the place of birth of a parent or grandparent):

Other relevant details relating to your knowledge of your parents' and grandparents' places of birth

[Please provide particulars of, or documents related to, any details provided in response to question 1a. These will be published with this checklist on the Australian Electoral Commission's website.]

QUALIFICATION CHECKLIST

Relating to your eligibility under Section 44 of the Australian Constitution

2. Do you have a parent or grandparent that you know was born in another country? This may be a biological or adoptive parent or grandparent.* YES
NO
(If you do not know any of your parents' or grandparents' places of birth, please mark the 'N/A' box.) N/A

2a. If 'yes', please provide the following details, to the extent known:

Relationship to you (e.g. mother or adoptive father)

Relationship to you (e.g. mother or adoptive father)

Place of Birth

Place of Birth

Date of Birth / /

Date of Birth / /

Relationship to you (e.g. mother or adoptive father)

Relationship to you (e.g. mother or adoptive father)

Place of Birth

Place of Birth

Date of Birth / /

Date of Birth / /

Relationship to you (e.g. mother or adoptive father)

Relationship to you (e.g. mother or adoptive father)

Place of Birth

Place of Birth

Date of Birth / /

Date of Birth / /

2b. Please provide any other relevant details:

Other relevant details relating to your parents' and grandparents' places and dates of birth

[Please provide particulars of, or documents related to, any details provided in response to questions 2a and 2b. These will be published with this checklist on the Australian Electoral Commission's website.]

Continued overleaf

QUALIFICATION CHECKLIST

Relating to your eligibility under Section 44 of the Australian Constitution

- | | |
|---|------------------|
| 3. Have you provided details in question 2a in relation to each parent and grandparent that you know was born in another country?* | YES
NO
N/A |
| <i>(If you do not know any of your parents' or grandparents' places of birth, please mark the 'N/A' box.)</i> | |

3a. If 'no', please explain why you have not provided those details:

Explanation of why you have not provided details relating to each parent and grandparent that you know was born in another country

- | | |
|---|-----------|
| 4. Do you know which citizenships have been held by each of your parents and grandparents (whether biological or adoptive)?* | YES
NO |
|---|-----------|

4a. Please provide any relevant details (for example, why you do not know the citizenships held at a particular time by a particular parent or grandparent):

Other relevant details relating to your knowledge of your parents' and grandparents' citizenships

[Please provide particulars of, or documents related to, any details provided in response to question 4a. These will be published with this checklist on the Australian Electoral Commission's website.]

Continued overleaf

QUALIFICATION CHECKLIST

Relating to your eligibility under Section 44 of the Australian Constitution

5. Do you have a parent or grandparent that you know acquired citizenship of another country by descent, naturalisation or other means? This may be a biological or adoptive parent or grandparent.* YES
NO
N/A

(If you do not know any of your parents' or grandparents' citizenship, please mark the 'N/A' box.)

5a. If 'yes', please provide the following details, to the extent known:

Relationship to you (e.g. mother or adoptive father) Country of foreign citizenship Period foreign citizenship held	Relationship to you (e.g. mother or adoptive father) Country of foreign citizenship Period foreign citizenship held
Relationship to you (e.g. mother or adoptive father) Country of foreign citizenship Period foreign citizenship held	Relationship to you (e.g. mother or adoptive father) Country of foreign citizenship Period foreign citizenship held
Relationship to you (e.g. mother or adoptive father) Country of foreign citizenship Period foreign citizenship held	Relationship to you (e.g. mother or adoptive father) Country of foreign citizenship Period foreign citizenship held

5b. Please provide any other relevant details:

Other relevant details relating to your parents' and grandparents' foreign citizenships

[Please provide particulars of, or documents related to, any details provided in response to questions 5a and 5b. These will be published with this checklist on the Australian Electoral Commission's website.]

QUALIFICATION CHECKLIST

Relating to your eligibility under Section 44 of the Australian Constitution

- | | |
|---|------------------|
| 6. Have you provided details in question 5a in relation to each parent and grandparent that you know acquired citizenship of another country by descent, naturalisation or other means?* | YES
NO
N/A |
| <i>(If you do not know any of your parents' or grandparents' citizenship, please mark the 'N/A' box.)</i> | |

6a. If 'no', please explain why you have not provided those details:

Explanation of why you have not provided details relating to each parent and grandparent that you know acquired citizenship of another country

- | | |
|---|------------------|
| 7. Do you know which citizenships have been held by each of your current and former spouses and similar partners?* | YES
NO
N/A |
| <i>(If you do not have a current or former spouse or similar partner, please mark the 'N/A' box.)</i> | |

7a. Please provide any relevant details (for example, why you do not know the particular citizenships held at a particular time by a current or former spouse or similar partner):

Other relevant details relating to your knowledge of the citizenships of your current and former spouses and similar partners

[Please provide particulars of, or documents related to, any details provided in response to question 7a. These will be published with this checklist on the Australian Electoral Commission's website.]

Continued overleaf

QUALIFICATION CHECKLIST

Relating to your eligibility under Section 44 of the Australian Constitution

- | | |
|---|-----|
| 8. Do you have a current or former spouse or similar partner who you know is or was a citizen of another country?* | YES |
| | NO |
| (If you do not have a current or former spouse or similar partner, or you do not know the citizenship of any of your current or former spouses or similar partners, please mark the 'N/A' box.) | N/A |

8a. If 'yes', please provide the following details, to the extent known:

Relationship to you
(e.g. wife or former de facto partner)

Country of foreign citizenship

Was foreign citizenship held at the time
of marriage (if applicable)?

Relationship to you
(e.g. wife or former de facto partner)

Country of foreign citizenship

Was foreign citizenship held at the time
of marriage (if applicable)?

8b. Please provide any other relevant details (for example, whether you acquired foreign citizenship because of a spouse's foreign citizenship):

Other relevant details relating to your current or former spouse's or similar partner's foreign citizenship

[Please provide particulars of, or documents related to, any details provided in response to questions 8a and 8b. These will be published with this checklist on the Australian Electoral Commission's website.]

Continued overleaf

QUALIFICATION CHECKLIST

Relating to your eligibility under Section 44 of the Australian Constitution

9. Have you provided details in question 8a in relation to each current or former spouse or similar partner that you know is or was a citizen of another country?*

(If you do not have a current or former spouse or similar partner, or you do not know the citizenship of any of your current or former spouses or similar partners, please mark the 'N/A' box.)

YES
NO
N/A

9a. If 'no', please explain why you have not provided those details:

Explanation of why you have not provided details relating to each current or former spouse or similar partner that you know is or was a citizen of another country

10. Have you ever been a subject or citizen of any country other than Australia?*

YES
NO
UNKNOWN

10a. If 'yes', please provide the following details, to the extent known:

Country of foreign citizenship

Manner in which foreign citizenship was lost (if applicable)

Date of losing foreign citizenship (if applicable) / /

* [If you contend that you have renounced or lost your foreign citizenship, you **must provide at least one document** that you are satisfied supports your contention. (The document may be an official document, or if you have no official document, a statutory declaration.) This will be published with this checklist on the Australian Electoral Commission's website.]

10b. Please provide any other relevant details (for example, how you lost your foreign citizenship, or why the response to question 10 is unknown):

Other relevant details relating to the loss of your foreign citizenship

[In addition to the requirement to provide at least one document mentioned under question 10a, please provide particulars of, or documents related to, any other details provided in response to questions 10a and 10b. These will be published with this checklist on the Australian Electoral Commission's website.]

Continued overleaf

QUALIFICATION CHECKLIST

Relating to your eligibility under Section 44 of the Australian Constitution

11. Are you now a subject or citizen of any country other than Australia?* YES
NO
UNKNOWN

11a. If 'yes', please provide the following details, to the extent known:

Country of foreign citizenship
Date of acquiring foreign citizenship / /

Country of foreign citizenship
Date of acquiring foreign citizenship / /

11b. Please provide any other relevant details (for example, why you are prevented from renouncing your foreign citizenship, or why the response to question 11 is unknown):

Other relevant details relating to possible disqualification by reason of section 44(i) of the Australian Constitution

[Please provide particulars of, and documents related to, any details provided in your response to questions 11a and 11b. These will be published with this checklist on the Australian Electoral Commission's website.]

12. Are you under sentence or subject to be sentenced, for an offence for which you have been convicted, which is punishable by imprisonment for one year or longer?* YES
NO

NOTE: A person convicted of an offence with a maximum penalty of imprisonment for one year or longer may be disqualified even if the sentence imposed on the person for the offence is less than the maximum penalty.

12a. If 'yes', please provide any relevant details:

Relevant details relating to possible disqualification by reason of section 44(ii) of the Australian Constitution

[Please provide particulars of, and documents related to, any details provided in your response to question 12a. These will be published with this checklist on the Australian Electoral Commission's website.]

Continued overleaf

QUALIFICATION CHECKLIST

Relating to your eligibility under Section 44 of the Australian Constitution

13. Are you an undischarged bankrupt or insolvent?* YES
NO

13a. If 'yes', please provide any relevant details:

Relevant details relating to possible disqualification by reason of section 44(iii) of the Australian Constitution

[Please provide particulars of, and documents related to, any details provided in your response to question 13a. These will be published with this checklist on the Australian Electoral Commission's website.]

14. Do you hold an office of profit under the Crown, other than an office expressly exempt from section 44(iv) of the Australian Constitution?* YES
NO
UNKNOWN
(Offices of profit under the Crown include, for example, many public sector jobs in Australia.)

14a. Please provide any relevant details, to the extent known (for example, the relevant body in which you hold the office of profit and your role, or why the response to question 14 is unknown):

Relevant details relating to possible disqualification by reason of section 44(iv) of the Australian Constitution

[Please provide particulars of, and documents related to, any details provided in your response to question 14a. These will be published with this checklist on the Australian Electoral Commission's website.]

Continued overleaf

QUALIFICATION CHECKLIST

Relating to your eligibility under Section 44 of the Australian Constitution

<p>15. Do you have a direct or indirect financial interest in any contract or other agreement with the Commonwealth public service?*</p> <p>Do not count an interest that is expressly excluded from section 44(v) of the Australian Constitution, such as a shareholding in a company that has 25 or more other shareholders.</p> <p>NOTE: Section 44(v) may disqualify you even if you are not a party to the relevant contract or agreement. A disqualifying financial interest may arise, for example, from an agreement between the Commonwealth public service and a trustee of a family trust of which you are a beneficiary.</p>	<p>YES NO UNKNOWN</p>
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15a. Please provide any relevant details, to the extent known (for example, your direct or indirect financial interests, or why the response to question 15 is unknown):

Relevant details relating to possible disqualification by reason of section 44(v) of the Australian Constitution

[Please provide particulars of, and documents related to, any details provided in your response to question 15a. These will be published with this checklist on the Australian Electoral Commission's website.]

16. Please provide any additional details relating to your qualification under the Australian Constitution or the *Commonwealth Electoral Act 1918*:

[Please provide particulars of, and documents related to, any details provided in your response to question 16. These will be published with this checklist on the Australian Electoral Commission's website.]

I confirm the information in the checklist provided above, and any additional information provided in support of my statements, to be true and correct, to the best of my knowledge.

Signature of candidate

Date

	/		/	
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