

## 62J. Refusal of registration

- (1) In this section —
  - “**application name**” means a name for a political party, or the abbreviation of the name for a political party, set out in the party’s application for registration;
  - “**existing party**” means another party —
    - (a) that is a parliamentary party;
    - (b) that is a registered political party; or
    - (c) at least one member of which is a member of the Parliament of the Commonwealth;
  - “**public body name**” means the name, or an abbreviation or acronym of the name, of a prominent public body.
- (2) The Electoral Commissioner may refuse to register a political party if the Electoral Commissioner believes on reasonable grounds that information set out in, or documents required to accompany, the application are incorrect.
- (3) The Electoral Commissioner is to refuse to register a political party if the party’s application name —
  - (a) has more than 6 words;
  - (b) is obscene or offensive;
  - (c) is the name, or an abbreviation or acronym of the name, of an existing party;
  - (d) so nearly resembles the name, or an abbreviation or acronym of the name, of an existing party that it is likely to be confused with or mistaken for the name, abbreviation or acronym;
  - (e) includes the word “royal” or the word “independent”; or
  - (f) would otherwise be likely to cause confusion if registered.
- (4) Subsection (3)(c) or (d) does not apply if the existing party is related to the party in respect of which the application is made.
- (5) The Electoral Commissioner may refuse to register a political party if the party’s application name —
  - (a) is a public body name; or
  - (b) so nearly resembles a public body name that it is likely to be confused with or mistaken for the public body name.
- (6) The Electoral Commissioner may refuse to register a political party if the Electoral Commissioner believes on reasonable grounds that a substantial proportion of the electors whose names are set out in the party’s application as required by section 62E(4)(d) are electors whose names have also been provided to the Electoral Commissioner under this Part for the purposes of the registration or continued registration of another political party (not being a related political party).
- (7) If the Electoral Commissioner decides to refuse an application, the Electoral Commissioner is to give the applicant written notice of —
  - (a) the refusal; and
  - (b) the reasons for the refusal.

*[Section 62J inserted by No. 36 of 2000 s. 63.]*