

GetUp: Activist group in fight with Australian Electoral Commission over funding disclosure rules

By political reporter Stephanie Borys • 23 Oct 2017, 8:09am

Updated



Photo: GetUp once targeted Nick Xenophon and his party with a donkey stunt. (ABC News: Ruby Jones)

One of Australia's most powerful activist groups is gearing up for a fight against the Australian Electoral Commission (AEC), saying it is prepared to risk criminal prosecution.

Key points:

- Eric Abetz says last year's federal election shows GetUp was trying to help Labor, Greens
- AEC requested GetUp to lodge its financial details by Friday
- GetUp refused to do so, accuses Peter Dutton of pressuring AEC

The AEC has asked GetUp to abide by disclosure laws that would require it to outline what funding it receives and how it is spent.

Groups subjected to such obligations are known as "associated entities" which are defined as a group controlled by one or more political parties, or operating to a significant extent for the benefit of political parties.

In a letter obtained by the ABC, the AEC said there were grounds to suggest GetUp's activities last year could be seen as having benefited Labor and the Greens.

But GetUp director Paul Oosting does not agree.

"GetUp is an independent movement, we've existed for 12 years to hold powerbrokers to account, whether that's corporations, political parties or governments," he said.

Liberal Senator Eric Abetz said there were examples from last year's federal election that showed GetUp was trying to help Labor and the Greens.

"The activities of GetUp were very clear, they in fact boasted that they were pursuing Liberal National Party candidates, that they were putting people in the field to doorknock, to campaign against National Party candidates," he said.

Mr Oosting said GetUp would have to hand over significant information if it registered as an associated entity.

"Not only does it threaten the GetUp movement, but it would have stark implications for other activist groups and members of civil society that want to engage in our public debate," he said.

Senator Abetz, a well-known critic of the group, said its position was hypocritical.

"Here they are, calling on everybody else to publicly disclose funding; yet, they are willing to face criminal prosecution to hide their own sources of funding," he said.

'We are going to have to really lawyer-up'

The AEC requested GetUp lodge its financial details by Friday, but the group refused to do so.

In a letter sent to GetUp earlier this year, the AEC stated if the group fulfilled its reporting obligations within 16 weeks after the end of the financial year, it would not face any penalties.

Mr Oosting now expects the AEC to launch a formal review.

"If the AEC conduct their investigation and were to find that GetUp was an associated entity — which we think is unlikely — we would face criminal prosecutions," he said.

"We would then challenge that in court because we are very confident of our independence and that we are not an associated entity."



Photo: Senator Eric Abetz is a well-known critic of GetUp and says its position is hypocritical. (AAP: Lukas Coch)

While supportive of any review, Mr Oosting accused Immigration Minister Peter Dutton of pressuring the AEC to target GetUp.

"We've been facing a malicious attack from the hard right of the Coalition, led by senator Eric Abetz and Peter Dutton trying to take away the independence of the GetUp movement," he said.

"We are going to have to really lawyer-up and make sure we can fight this, so we are going out to the membership today, calling on them to help back in the organisation because this is the greatest threat that we've faced."

Senator Abetz has denied the claims and insists the AEC is an independent body that should be respected.

"This is, yet again, an example of the extreme left-wing view that has been enunciated by Sally McManus of the ACTU, if there are laws you don't like you are somehow justified in breaking them," he said.

The status of GetUp was examined by the AEC in 2005 and 2010, and both times the conclusion was reached that there was not enough evidence to determine it was an associated entity.

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