

## Operation Aero

### Index

#### Tender bundle - Julie Sibraa

Document No	Description
Doc 1	Letter from NSW Electoral Commission dated 6 December 2016 attaching two statutory notices addressed to Australian Labor Party (NSW Branch) and stamped received by Australian Labor Party (NSW Branch) on 8 December 2016
Doc 1A	Letter from NSW Electoral Commission dated 6 December 2016 attaching two statutory notices addressed to Country Labor and stamped received by Australian Labor Party (NSW Branch) on 8 December 2016
Doc 2	Email from Kaila Murnain to Ian Robertson and Sarah Butler copied to Julie Sibraa on 8 December 2016 at 11:46am attaching NSW Electoral Commission statutory notices
Doc 3	Email from Julie Sibraa to Ian Robertson and Sarah Butler copied to Kaila Murnain and Pat Garcia on 16 December 2016 at 5:22pm attaching documents and draft response to NSW Electoral Commission statutory notices
Doc 4	Email from Julie Sibraa to Sarah Butler on 19 December 2016 at 3:12pm attaching the NSW Electoral Commission statutory notice addressed to Country Labor
Doc 5	Email from Sarah Butler to Julie Sibraa copied to Ian Robertson on 19 December 2016 at 3:27pm endorsing draft response to NSW Electoral Commission regarding statutory notices
Doc 6	Email from Julie Sibraa to Sarah Butler copied to Ian Robertson on 19 December 2016 at 4:30pm seeking confirmation that draft cover letter was unchanged



Doc 7	Email from Sarah Butler to Julie Sibraa copied to Ian Robertson on 19 December 2016 at 4:32pm confirming cover letter was unchanged
Doc 8	Email from Ian Robertson to Sarah Butler and Julie Sibraa on 19 December 2016 at 5:07pm commenting on draft cover letter being unchanged
Doc 9	Email from Julie Sibraa to Ian Robertson and Sarah Butler on 19 December 2016 at 5:25pm commenting on draft cover letter being unchanged
Doc 10	Email from Kaila Murnain to Julie Sibraa copied to Ian Robertson and Ashleigh Smith on 20 December 2016 at 9:40am titled 'Letters'
Doc 10A	Email from Julie Sibraa to Kaila Murnain, Ian Robertson and Sarah Butler on 20 December 2016 at 10:08am forwarding email to Peter Smithers of NSW Electoral Commission attaching responses to NSW ALP statutory notices
Doc 11	Email from Julie Sibraa to Kaila Murnain, Ian Robertson and Sarah Butler on 20 December 2016 at 10:08am forwarding email to Peter Smithers of NSW Electoral Commission attaching responses to CLP statutory notices





Our Ref: 2016/74

Australian Labor Party (NSW Branch) ('ALP')  
Level 9, 377-383 Sussex Street  
SYDNEY NSW 2000



6 December 2016

To: The Proper Officer

**Notices to Produce (Information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981**

The New South Wales Electoral Commission ("the Commission") is a statutory body responsible for regulating and enforcing compliance with the *Parliamentary Electorates and Elections Act 1912* ("PEE Act"), *Election Funding, Expenditure and Disclosures Act 1981* ("EFED Act") and the *Lobbying of Government Officials Act 2011* ("LOGO Act") (collectively referred to hereafter as "the Acts"). The Commission is responsible for undertaking investigations where it is satisfied on reasonable grounds that one or more of the Acts may be, are or have been, contravened.

I enclose two (2) notices, bearing the Commission's barcode numbers **EC0000628 (Information)** and **EC0000629 (Documents)** issued under s110A(1)(a)&(b) of the EFED Act. You will see that it requires you to produce certain information and documents in relation to cash political donations made at a function called the 'Chinese Community Dinner' – 'Chinese Friends of Labor' held at The Eight Modern Chinese Restaurant on 12 March 2015. The Commission is investigating whether a number of donations made by individuals, were made for and on behalf of other person/s, which may constitute a breach of the EFED Act. Further details are set out in the notice.

Attached to and forming part of this correspondence is information relating to the requirements of section 110A as well as penalty provisions for failure to comply.

For the purposes of the enclosed notices, a list of definitions is attached.

You should read the notice carefully and if necessary, seek legal advice regarding the requirements of the notice. The information contained within this notice and supplied by you in response to the notice is to remain confidential.

If you have any questions about the notice, please call Peter SMITHERS of 9290-5260.

Yours Sincerely

A handwritten signature in blue ink, appearing to read 'Peter Smithers'.

Peter SMITHERS  
Senior Investigator / Inspector  
Funding, Disclosure & Compliance  
(Encl.)



**ELECTION FUNDING, EXPENDITURE AND DISCLOSURES ACT 1981*****Section 110A – Power to require provision of documents and information***

- (1) The Electoral Commission may, by notice in writing to a person, require the person:
  - (a) to provide such information as the Electoral Commission reasonably requires for the purposes of the enforcement of this Act, or
  - (b) to produce to the Electoral Commission, at the place and time specified in the notice, any document that the Electoral Commission reasonably requires for the purposes of the enforcement of this Act, or
  - (c) to answer questions about any matters in respect of which information is reasonably required for the purposes of the enforcement of this Act, or
  - (d) to attend at a specified place and time to answer questions under this section if attendance at that place is reasonably required in order that the questions can be properly put and answered.
- (2) The place and time at which a person may be required to produce a document, or to attend and answer questions, is to be a place and time nominated by the Electoral Commission that is reasonable in the circumstances.
- (3) A notice under this section that requires a person to produce a document may only require a person to produce existing documents that are in the person's possession or that are within the person's power to obtain lawfully.
- (4) The Electoral Commission may take copies of any documents provided under this section.
- (5) If the Electoral Commission has reason to believe that any documents provided under this section are evidence of an offence against this Act or the regulations, the Electoral Commission may retain the documents until proceedings for the offence have been heard and determined.
- (6) A person who, without reasonable excuse, fails to comply with a requirement made of the person under this section is guilty of an offence. Maximum penalty: 200 penalty units.
- (7) A person who provides any document or information, or answers any question, in purported compliance with a requirement made under this section, knowing that the document, information or answer is false or misleading in a material particular, is guilty of an offence. Maximum penalty: 400 penalty units or imprisonment for 2 years, or both.
- (8) A function conferred on the Electoral Commission by this section may be exercised by any person authorised by the Electoral Commission to exercise its functions under this section:
  - (a) who is employed in the Public Service, or
  - (b) who is not so employed but is subject to the control and direction of the Electoral Commission in relation to any function under this section.



## DEFINITIONS

Please note, for the purposes of the enclosed notice(s), the following terms have the following meaning pursuant to sections 4 and 84 of the *Election Funding, Expenditure and Disclosures Act* 1981, section 3 of the *Election Funding, Expenditure and Disclosures Regulation* 2009, section 3 of the *Parliamentary Electorates and Elections Act* 1912 and section 3 of the *Lobbying of Government Officials Act* 2011.

**“Amend”** includes:

- a) Alter, omit, add or substitute.

**“Books”** includes:

- a) A register; and
- b) Financial reports or financial records, however compiled, recorded or stored;
- c) And a document; and
- d) Banker’s books; and
- e) Any other record of information

**“Bankers books”** includes:

- a) Books of a bank, building society or credit union;
- b) Cheques, orders for payment of money, bills of exchange or promissory notes in the possession or under the control of a bank, building society or credit union.

**“Candidate”**:

In relation to an election, means a person nominated as a candidate at the election in accordance with the PEE Act or in accordance with the *Local Government Act* 1993 (as the case requires) and includes a person applying for registration as, or registered as, a candidate in the Register of Candidates for the election.

**“Commissioner”** means:

The Electoral Commissioner for New South Wales appointed under the PEE Act and includes a person duly acting as the Electoral Commission.

**“Declaration”** includes:

- a) A disclosure made in accordance with Part 6 of the EFED Act.

**“Document”** includes:

- a) Anything on which there is writing, or
- b) Anything on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them, or
- c) Anything from which sounds, images or writings can be reproduced with or without the aid of anything else, or
- d) A map, plan, drawing or photograph.

**“Donor”** means:

A person who makes a gift.

**“Elected Member”** means:

- a) A member of Parliament;
- b) A councillor (including the mayor) of the council of a local government area, and includes a person who, during any period after ceasing to be a member of Parliament or a councillor, is entitled to remuneration as such a member or councillor.

**“Elector”** means:

Any person whose name appears on a roll.



**“Electoral Expenditure” means:**

Expenditure for or in connection with promoting or opposing, directly or indirectly, a party or the election of a candidate or candidates or for the purpose of influencing, directly or indirectly, the voting at an election.

**“Financial records” includes:**

- a) Invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; and
- b) Documents of prime entry; and
- c) Working papers and other documents needed to explain:
  - i. The methods by which financial statements are made up; and
  - ii. Adjustments to be made in preparing financial statements.

**“Financial Year” means:**

Year ending 30 June.

**“Gift” means:**

Any disposition of property made by a person to another person, otherwise than by will, being a disposition made without consideration in money or money's worth or with inadequate consideration, and includes the provision of a service (other than volunteer labour) for no consideration or for inadequate consideration.

**“Government Official” includes:**

- a) A Minister or Parliamentary Secretary;
- b) A staff member of a Minister or Parliamentary Secretary (including a staff member in an electorate office);
- c) The head of a Public Service agency;
- d) A person employed in the Public Service of New South Wales, the Transport Service of New South Wales or any other service of the Crown;
- e) An individual who is engaged under a contract to provide services to or on behalf of the Public Service of New South Wales, the Transport Service of New South Wales or any other service of the Crown; and
- f) A member (however expressed) of, or of the governing body of, a statutory body.

**“Inspector” means:**

- a) A person who is employed under Chapter 1A of the *Public Sector Employment and Management Act 2002* in the Government Service, or
- b) A person who is not so employed but is subject to the control and direction of the Electoral Commission in relation to any function under this section, and who is appointed by the Electoral Commission as an inspector for the purposes of this section.

**“Lobbyist” means:**

- a) A third-party lobbyist, or
- b) Any other individual or body that lobbies Government officials (including an individual engaged to undertake lobbying for a third-party lobbyist).

**“Major Political Donor” means:**

An entity or other person (not being a party, elected member, group or candidate) who makes a reportable political donation of or exceeding \$1000.

**“Official Agent” includes:**

- a) In relation to an elected member of Parliament who is a member of a registered party – the party agent of the party;
- b) In relation to any other elected member who is a candidate or member of a group – the official agent of the candidate or group;
- c) In relation to a State election candidate who is a member of a registered party – the party agent of the party;



- d) In relation to a State election group whose members are all members of a registered party – the party agent of the party;
- e) In relation to a candidate or group of a class specified in the regulations – the Electoral Commission or a government agency so specified;
- f) In relation to any other candidate or group – the official agent registered in the Register of Official Agents for that candidate or group;
- g) In relation to an elected member for whom an official agent, appointed by the member under section 46A of the EFED Act, is registered in the Register of Official Agents – that official agent;
- h) In relation to a third-party campaigner for whom an official agent, appointed by the campaigner under section 46B of the EFED Act, is registered in the Register of Official Agents – that official agent; and
- i) In any other case – a person (including the elected member, candidate or third-party campaigner concerned) designated by the Electoral Commissioner.

**“Party” means:**

A body or organisation, incorporated or unincorporated, having as one of its objects or activities the promotion of the election to Parliament or a local council of a candidate or candidates endorsed by it or by a body or organisation of which it forms a part.

**“Political Donation” includes:**

- a) A gift made to or for the benefit of a party;
- b) A gift made to or for the benefit of an elected member;
- c) A gift made to or for the benefit of a candidate or a group of candidates; and
- d) A gift made to or for the benefit of an entity or other person (not being a party, elected member, group or candidate), the whole or part of which was used or is intended to be used by the entity or person:
  - a. To enable the entity or person to make, directly or indirectly, a political donation or to incur electoral expenditure, or
  - b. To reimburse the entity or person for making, directly or indirectly, a political donation or incurring electoral expenditure.

**“Prohibited Donor” includes:**

- a) A property developer; or
  - b) A tobacco industry business entity; or
  - c) A liquor or gambling industry business entity,
- and includes any industry representative organisation if the majority of its members are such prohibited donors.

**“Registered Party” means:**

A party registered under Part 4A of the *Parliamentary Electorates and Elections Act 1912*, being a party which stated in its application for registration that it wished to be registered for the purposes of this Act.

**“Related Body Corporate”**

has the same meaning as in the Corporations Act 2001 of the Commonwealth.

**“Scheme” includes:**

- a) An arrangement, an understanding or a course of conduct.

**“Third-Party Lobbyist” means:**

An individual or body carrying on the business (generally for money or other valuable consideration) of lobbying Government officials on behalf of another individual or body; and:

- a. Includes an individual or body included in this definition by the regulations, but
- b. Does not include an individual or body excluded from this definition by the regulations.





**Notice issued to an organisation pursuant to  
Section 110A(1)(a) of the Election Funding, Expenditure  
and Disclosures Act 1981**

To: The Proper Officer  
Australian Labor Party (NSW Branch) (**'ALP'**)  
Level 9, 377-383 Sussex Street  
SYDNEY NSW 2000

The New South Wales Electoral Commission ("**the Commission**") is a statutory body responsible for regulating and enforcing compliance with the *Parliamentary Electorates and Elections Act 1912* ("**PEE Act**"), *Election Funding, Expenditure and Disclosures Act 1981* ("**EFED Act**") and the *Lobbying of Government Officials Act 2011* ("**LOGO Act**").

I, Peter SMITHERS, have reason to suspect that cash political donations made at a function called the 'Chinese Community Dinner' – 'Chinese Friends of Labor' held at The Eight Modern Chinese Restaurant on 12 March 2015, were made for and on behalf of other person/s, and deposited into an ALP bank account, in contravention of section 96HB(1) of the EFED Act.

I am authorised by the Commission to issue notices under s. 110A of the EFED Act. This notice is issued to you pursuant to that section, because I have reason to suspect that you are able to provide information regarding the cash political donations made at a function called either the 'Chinese Community Dinner' or 'Chinese Friends of Labor' (**'the fundraising dinner'**) held at The Eight Modern Chinese Restaurant on 12 March 2015. The Commission is investigating whether a number of donations made at the fundraising dinner by certain individuals, were made for and on behalf of other person/s.

It is an offence to provide any document or information or answer any questions in purported compliance with a requirement of this notice, knowing that the document or information or answer is false or misleading in a material particular. It is also an offence to fail to comply with a requirement of this notice, without reasonable excuse.



**YOU ARE REQUIRED BY THIS NOTICE TO PRODUCE THE FOLLOWING**  
**INFORMATION**

Financial records maintained by the Commission indicate that \$50,000 consisting of 10 x \$5000 individual donations (*'the donations'*) were handed to the ALP on 9 April 2015. The donations derived from the "Chinese Friends of Labor – NSW Labor Chinese" (*function*) launch on 12 March 2015.

1. Please provide the name/s of the person/s who handed the donations to the ALP on 9 April 2015?
2. Please advise as to what form the donations were provided to the ALP on 9 April 2015 (*i.e. cash, cheque, EFT, or by any other means*)?
3. Please advise if the person/s who handed the donations to the ALP on 9 April 2015 (*as per point 1 above*), were issued with a formal receipt from the ALP for that transaction?
4. Please advise if the person/s who handed the donations to the ALP on 9 April 2015 (*as per point 1 above*), also supplied the ALP with a breakdown of the names and addresses of the individuals whose donations made up the donation?
5. Please advise the name/s of the person/s who deposited the donation into the ALP NSW State Campaign Account - Commonwealth Bank Account numbered 200611314646 (*Chinatown branch*) on 9 April 2015?

**You are required to provide the documents referred to in this notice to:**

**To: Senior Investigator Peter SMITHERS**

**By: 10.00AM**

**On: Tuesday 20 December 2016**

**At: NSW Electoral Commission, Level 25, 201 Kent Street, Sydney  
NSW 2000.**

If you have any questions about this notice, please call Peter SMITHERS on (02) 9290-5260.

Thank you for your assistance regarding this matter.



Peter SMITHERS  
Senior Investigator / Inspector  
6 December 2016





**Notice issued to an organisation pursuant to  
Section 110A(1)(b) of the Election Funding, Expenditure  
and Disclosures Act 1981**

To: The Proper Officer  
Australian Labor Party (NSW Branch) (**'ALP'**)  
Level 9, 377-383 Sussex Street  
SYDNEY NSW 2000

The New South Wales Electoral Commission ("**the Commission**") is a statutory body responsible for regulating and enforcing compliance with the *Parliamentary Electorates and Elections Act 1912* ("**PEE Act**"), *Election Funding, Expenditure and Disclosures Act 1981* ("**EFED Act**") and the *Lobbying of Government Officials Act 2011* ("**LOGO Act**").

I, Peter SMITHERS, have reason to suspect that cash political donations made at a function called the 'Chinese Community Dinner' – 'Chinese Friends of Labor' held at The Eight Modern Chinese Restaurant on 12 March 2015, were made for and on behalf of other person/s and deposited into an ALP bank account, in contravention of section 96HB(1) of the EFED Act.

I am authorised by the Commission to issue notices under s. 110A of the EFED Act. This notice is issued to you pursuant to that section, because I have reason to suspect that you are able to provide documents regarding the cash political donations made at a function called either the 'Chinese Community Dinner' or 'Chinese Friends of Labor' (**'the fundraising dinner'**) held at The Eight Modern Chinese Restaurant on 12 March 2015. The Commission is investigating whether a number of donations made at the fundraising dinner by certain individuals, were made for and on behalf of other person/s.

It is an offence to provide any document or information or answer any questions in purported compliance with a requirement of this notice, knowing that the document or information or answer is false or misleading in a material particular. It is also an offence to fail to comply with a requirement of this notice, without reasonable excuse.



**YOU ARE REQUIRED BY THIS NOTICE TO PRODUCE THE FOLLOWING**  
**DOCUMENTS**

Financial records maintained by the Commission indicate that \$50,000 consisting of 10 x \$5000 individual donations (***‘the donations’***) were handed to the ALP on 9 April 2015. The donations derived from the “Chinese Friends of Labor – NSW Labor Chinese” (*function*) launch on 12 March 2015.

1. Please provide a copy of the receipt issued by the ALP, to the person/s who handed the donations to the ALP on 9 April 2015.
2. Please provided a copy of the deposit slip of the transaction from 9 April 2015, whereby, the donations were deposited into the ALP NSW State Campaign Account – Commonwealth Bank Account numbered 200611314646 (*Chinatown Branch*).
3. Please provide a copy of any and all documentation that was provided either to, or by, the person/s who handed the donations to the ALP on 9 April 2015.

**You are required to provide the documents referred to in this notice to:**

**To: Senior Investigator Peter SMITHERS**

**By: 10.00AM**

**On: Tuesday 20 December 2016**

**At: NSW Electoral Commission, Level 25, 201 Kent Street, Sydney NSW 2000.**

If you have any questions about this notice, please call Peter SMITHERS on (02) 9290-5260.

Thank you for your assistance regarding this matter.



Peter SMITHERS  
Senior Investigator / Inspector  
6 December 2016





Our Ref: 2016/74

Australian Labor Party (Country Labor) ('CLP')  
Level 9, 377-383 Sussex Street  
SYDNEY NSW 2000

6 December 2016

To: The Proper Officer



**Notices to Produce (Information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981**

The New South Wales Electoral Commission ("**the Commission**") is a statutory body responsible for regulating and enforcing compliance with the *Parliamentary Electorates and Elections Act 1912* ("**PEE Act**"), *Election Funding, Expenditure and Disclosures Act 1981* ("**EFED Act**") and the *Lobbying of Government Officials Act 2011* ("**LOGO Act**") (collectively referred to hereafter as "**the Acts**"). The Commission is responsible for undertaking investigations where it is satisfied on reasonable grounds that one or more of the Acts may be, are or have been, contravened.

I enclose two (2) notices, bearing the Commission's barcode numbers **EC0000630 (Information)** and **EC0000631 (Documents)** issued under s110A(1)(a)&(b) of the EFED Act. You will see that it requires you to produce certain information and documents in relation to cash political donations made at a function called the 'Chinese Community Dinner' – 'Chinese Friends of Labor' held at The Eight Modern Chinese Restaurant on 12 March 2015. The Commission is investigating whether a number of donations made by individuals, were made for and on behalf of other person/s, which may constitute a breach of the EFED Act. Further details are set out in the notice.

Attached to and forming part of this correspondence is information relating to the requirements of section 110A as well as penalty provisions for failure to comply.

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If you have any questions about the notice, please call Peter SMITHERS of 9290-5260.

Yours Sincerely

A handwritten signature in blue ink, appearing to read 'Peter SMITHERS'.

Peter SMITHERS  
Senior Investigator / Inspector  
Funding, Disclosure & Compliance  
(Encl.)



**ELECTION FUNDING, EXPENDITURE AND DISCLOSURES ACT 1981*****Section 110A – Power to require provision of documents and information***

- (1) The Electoral Commission may, by notice in writing to a person, require the person:
  - (a) to provide such information as the Electoral Commission reasonably requires for the purposes of the enforcement of this Act, or
  - (b) to produce to the Electoral Commission, at the place and time specified in the notice, any document that the Electoral Commission reasonably requires for the purposes of the enforcement of this Act, or
  - (c) to answer questions about any matters in respect of which information is reasonably required for the purposes of the enforcement of this Act, or
  - (d) to attend at a specified place and time to answer questions under this section if attendance at that place is reasonably required in order that the questions can be properly put and answered.
- (2) The place and time at which a person may be required to produce a document, or to attend and answer questions, is to be a place and time nominated by the Electoral Commission that is reasonable in the circumstances.
- (3) A notice under this section that requires a person to produce a document may only require a person to produce existing documents that are in the person's possession or that are within the person's power to obtain lawfully.
- (4) The Electoral Commission may take copies of any documents provided under this section.
- (5) If the Electoral Commission has reason to believe that any documents provided under this section are evidence of an offence against this Act or the regulations, the Electoral Commission may retain the documents until proceedings for the offence have been heard and determined.
- (6) A person who, without reasonable excuse, fails to comply with a requirement made of the person under this section is guilty of an offence. Maximum penalty: 200 penalty units.
- (7) A person who provides any document or information, or answers any question, in purported compliance with a requirement made under this section, knowing that the document, information or answer is false or misleading in a material particular, is guilty of an offence. Maximum penalty: 400 penalty units or imprisonment for 2 years, or both.
- (8) A function conferred on the Electoral Commission by this section may be exercised by any person authorised by the Electoral Commission to exercise its functions under this section:
  - (a) who is employed in the Public Service, or
  - (b) who is not so employed but is subject to the control and direction of the Electoral Commission in relation to any function under this section.



## DEFINITIONS

Please note, for the purposes of the enclosed notice(s), the following terms have the following meaning pursuant to sections 4 and 84 of the *Election Funding, Expenditure and Disclosures Act* 1981, section 3 of the *Election Funding, Expenditure and Disclosures Regulation* 2009, section 3 of the *Parliamentary Electorates and Elections Act* 1912 and section 3 of the *Lobbying of Government Officials Act* 2011.

**“Amend”** includes:

- a) Alter, omit, add or substitute.

**“Books”** includes:

- a) A register; and
- b) Financial reports or financial records, however compiled, recorded or stored;
- c) And a document; and
- d) Banker’s books; and
- e) Any other record of information

**“Bankers books”** includes:

- a) Books of a bank, building society or credit union;
- b) Cheques, orders for payment of money, bills of exchange or promissory notes in the possession or under the control of a bank, building society or credit union.

**“Candidate”:**

In relation to an election, means a person nominated as a candidate at the election in accordance with the PEE Act or in accordance with the *Local Government Act* 1993 (as the case requires) and includes a person applying for registration as, or registered as, a candidate in the Register of Candidates for the election.

**“Commissioner”** means:

The Electoral Commissioner for New South Wales appointed under the PEE Act and includes a person duly acting as the Electoral Commission.

**“Declaration”** includes:

- a) A disclosure made in accordance with Part 6 of the EFED Act.

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- a) Anything on which there is writing, or
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**“Donor”** means:

A person who makes a gift.

**“Elected Member”** means:

- a) A member of Parliament;
- b) A councillor (including the mayor) of the council of a local government area, and includes a person who, during any period after ceasing to be a member of Parliament or a councillor, is entitled to remuneration as such a member or councillor.

**“Elector”** means:

Any person whose name appears on a roll.



**“Electoral Expenditure” means:**

Expenditure for or in connection with promoting or opposing, directly or indirectly, a party or the election of a candidate or candidates or for the purpose of influencing, directly or indirectly, the voting at an election.

**“Financial records” includes:**

- a) Invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; and
- b) Documents of prime entry; and
- c) Working papers and other documents needed to explain:
  - i. The methods by which financial statements are made up; and
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**“Financial Year” means:**

Year ending 30 June.

**“Gift” means:**

Any disposition of property made by a person to another person, otherwise than by will, being a disposition made without consideration in money or money's worth or with inadequate consideration, and includes the provision of a service (other than volunteer labour) for no consideration or for inadequate consideration.

**“Government Official” includes:**

- a) A Minister or Parliamentary Secretary;
- b) A staff member of a Minister or Parliamentary Secretary (including a staff member in an electorate office);
- c) The head of a Public Service agency;
- d) A person employed in the Public Service of New South Wales, the Transport Service of New South Wales or any other service of the Crown;
- e) An individual who is engaged under a contract to provide services to or on behalf of the Public Service of New South Wales, the Transport Service of New South Wales or any other service of the Crown; and
- f) A member (however expressed) of, or of the governing body of, a statutory body.

**“Inspector” means:**

- a) A person who is employed under Chapter 1A of the *Public Sector Employment and Management Act 2002* in the Government Service, or
- b) A person who is not so employed but is subject to the control and direction of the Electoral Commission in relation to any function under this section, and who is appointed by the Electoral Commission as an inspector for the purposes of this section.

**“Lobbyist” means:**

- a) A third-party lobbyist, or
- b) Any other individual or body that lobbies Government officials (including an individual engaged to undertake lobbying for a third-party lobbyist).

**“Major Political Donor” means:**

An entity or other person (not being a party, elected member, group or candidate) who makes a reportable political donation of or exceeding \$1000.

**“Official Agent” includes:**

- a) In relation to an elected member of Parliament who is a member of a registered party – the party agent of the party;
- b) In relation to any other elected member who is a candidate or member of a group – the official agent of the candidate or group;
- c) In relation to a State election candidate who is a member of a registered party – the party agent of the party;



- d) In relation to a State election group whose members are all members of a registered party – the party agent of the party;
- e) In relation to a candidate or group of a class specified in the regulations – the Electoral Commission or a government agency so specified;
- f) In relation to any other candidate or group – the official agent registered in the Register of Official Agents for that candidate or group;
- g) In relation to an elected member for whom an official agent, appointed by the member under section 46A of the EFED Act, is registered in the Register of Official Agents – that official agent;
- h) In relation to a third-party campaigner for whom an official agent, appointed by the campaigner under section 46B of the EFED Act, is registered in the Register of Official Agents – that official agent; and
- i) In any other case – a person (including the elected member, candidate or third-party campaigner concerned) designated by the Electoral Commissioner.

**“Party” means:**

A body or organisation, incorporated or unincorporated, having as one of its objects or activities the promotion of the election to Parliament or a local council of a candidate or candidates endorsed by it or by a body or organisation of which it forms a part.

**“Political Donation” includes:**

- a) A gift made to or for the benefit of a party;
- b) A gift made to or for the benefit of an elected member;
- c) A gift made to or for the benefit of a candidate or a group of candidates; and
- d) A gift made to or for the benefit of an entity or other person (not being a party, elected member, group or candidate), the whole or part of which was used or is intended to be used by the entity or person:
  - a. To enable the entity or person to make, directly or indirectly, a political donation or to incur electoral expenditure, or
  - b. To reimburse the entity or person for making, directly or indirectly, a political donation or incurring electoral expenditure.

**“Prohibited Donor” includes:**

- a) A property developer; or
  - b) A tobacco industry business entity; or
  - c) A liquor or gambling industry business entity,
- and includes any industry representative organisation if the majority of its members are such prohibited donors.

**“Registered Party” means:**

A party registered under Part 4A of the *Parliamentary Electorates and Elections Act 1912*, being a party which stated in its application for registration that it wished to be registered for the purposes of this Act.

**“Related Body Corporate”**

has the same meaning as in the Corporations Act 2001 of the Commonwealth.

**“Scheme” includes:**

- a) An arrangement, an understanding or a course of conduct.

**“Third-Party Lobbyist” means:**

An individual or body carrying on the business (generally for money or other valuable consideration) of lobbying Government officials on behalf of another individual or body; and:

- a. Includes an individual or body included in this definition by the regulations, but
- b. Does not include an individual or body excluded from this definition by the regulations.





**Notice issued to an organisation pursuant to  
Section 110A(1)(a) of the Election Funding, Expenditure  
and Disclosures Act 1981**

To: The Proper Officer  
Australian Labor Party (Country Labor) ('CLP')  
Level 9, 377-383 Sussex Street  
SYDNEY NSW 2000

The New South Wales Electoral Commission ("**the Commission**") is a statutory body responsible for regulating and enforcing compliance with the *Parliamentary Electorates and Elections Act 1912* ("**PEE Act**"), *Election Funding, Expenditure and Disclosures Act 1981* ("**EFED Act**") and the *Lobbying of Government Officials Act 2011* ("**LOGO Act**").

I, Peter SMITHERS, have reason to suspect that cash political donations made at a function called the 'Chinese Community Dinner' – 'Chinese Friends of Labor' held at The Eight Modern Chinese Restaurant on 12 March 2015, were made for and on behalf of other person/s and deposited into a CLP bank account, in contravention of section 96HB(1) of the EFED Act.

I am authorised by the Commission to issue notices under s. 110A of the EFED Act. This notice is issued to you pursuant to that section because I have reason to suspect that you are able to provide information regarding the cash political donations made at a function called either the 'Chinese Community Dinner' or 'Chinese Friends of Labor' ("**the fundraising dinner**") held at The Eight Modern Chinese Restaurant on 12 March 2015. The Commission is investigating whether a number of donations made at the fundraising dinner by certain individuals, were made for and on behalf of other person/s.

It is an offence to provide any document or information or answer any questions in purported compliance with a requirement of this notice, knowing that the document or information or answer is false or misleading in a material particular. It is also an offence to fail to comply with a requirement of this notice, without reasonable excuse.



**YOU ARE REQUIRED BY THIS NOTICE TO PRODUCE THE FOLLOWING  
INFORMATION**

Financial records maintained by the Commission indicate that \$50,000 consisting of 10 x \$5000 individual donations (***"the donations"***) were handed to the CLP on 9 April 2015. The donations derived from the "Chinese Friends of Labor – NSW Labor Chinese" (*function*) launch on 12 March 2015.

1. Please provide the name/s of the person/s who handed the donations to the CLP on 9 April 2015?
2. Please advise as to what form the donations were provided to the CLP on 9 April 2015 (*i.e. cash, cheque, EFT, or by any other means*)?
3. Please advise if the person/s who handed the donations to the CLP on 9 April 2015 (*as per point 1 above*), were issued with a formal receipt from the CLP for that transaction?
4. Please advise if the person/s who handed the donations to the CLP on 9 April 2015 (*as per point 1 above*), also supplied the CLP with a breakdown of the names and addresses of the individuals whose donations made up the donations?
5. Please advise the name/s of the person/s who deposited the donation into the ALP NSW – County Labor Account - Commonwealth Bank Account numbered 200014091448 (*Chinatown branch*) on 9 April 2015?

**You are required to provide the documents referred to in this notice to:**

**To: Senior Investigator Peter SMITHERS**

**By: 10.00AM**

**On: Tuesday 20 December 2016**

**At: NSW Electoral Commission, Level 25, 201 Kent Street, Sydney  
NSW 2000.**

If you have any questions about this notice, please call Peter SMITHERS on (02) 9290-5260.

Thank you for your assistance regarding this matter.



Peter SMITHERS  
Senior Investigator / Inspector  
6 December 2016





**Notice issued to an organisation pursuant to  
Section 110A(1)(b) of the Election Funding, Expenditure  
and Disclosures Act 1981**

To: The Proper Officer  
Australian Labor Party (Country Labor) (**'CLP'**)  
Level 9, 377-383 Sussex Street  
SYDNEY NSW 2000

The New South Wales Electoral Commission ("**the Commission**") is a statutory body responsible for regulating and enforcing compliance with the *Parliamentary Electorates and Elections Act 1912* ("**PEE Act**"), *Election Funding, Expenditure and Disclosures Act 1981* ("**EFED Act**") and the *Lobbying of Government Officials Act 2011* ("**LOGO Act**").

I, Peter SMITHERS, have reason to suspect that cash political donations made at a function called the 'Chinese Community Dinner' – 'Chinese Friends of Labor' held at The Eight Modern Chinese Restaurant on 12 March 2015, were made for and on behalf of other person/s and deposited into a CLP bank account, in contravention of section 96HB(1) of the EFED Act.

I am authorised by the Commission to issue notices under s. 110A of the EFED Act. This notice is issued to you pursuant to that section because I have reason to suspect that you are able to provide documents regarding the cash political donations made at a function called either the 'Chinese Community Dinner' or 'Chinese Friends of Labor' (**'the fundraising dinner'**) held at The Eight Modern Chinese Restaurant on 12 March 2015. The Commission is investigating whether a number of donations made at the fundraising dinner by certain individuals, were made for and on behalf of other person/s.

It is an offence to provide any document or information or answer any questions in purported compliance with a requirement of this notice, knowing that the document or information or answer is false or misleading in a material particular. It is also an offence to fail to comply with a requirement of this notice, without reasonable excuse.



**YOU ARE REQUIRED BY THIS NOTICE TO PRODUCE THE FOLLOWING  
DOCUMENTS**

Financial records maintained by the Commission indicate that \$50,000 consisting of 10 x \$5000 individual donations (*'the donations'*) were handed to the CLP on 9 April 2015. The donations derived from the "Chinese Friends of Labor – NSW Labor Chinese" (*function*) launch on 12 March 2015.

1. Please provide a copy of the receipt issued by the CLP, to the person/s who handed the donations to the CLP on 9 April 2015.
2. Please provide a copy of the deposit slip of the transaction from 9 April 2015, whereby, the donations were deposited into the ALP NSW – County Labor Account – Commonwealth Bank Account numbered 200014091448 (*Chinatown Branch*).
3. Please provide a copy of any and all documentation that was provided either to, or by, the person/s who handed the donations to the CLP on 9 April 2015.

**You are required to provide the documents referred to in this notice to:**

**To: Senior Investigator Peter SMITHERS**

**By: 10.00AM**

**On: Tuesday 20 December 2016**

**At: NSW Electoral Commission, Level 25, 201 Kent Street, Sydney  
NSW 2000.**

If you have any questions about this notice, please call Peter SMITHERS on (02) 9290-5260.

Thank you for your assistance regarding this matter.



Peter SMITHERS  
Senior Investigator / Inspector  
6 December 2016



---

**From:** Kaila Murnain <Kaila@[REDACTED]>  
**Sent:** Thursday, 8 December 2016 11:46 AM  
**To:** Ian Robertson; Sarah Butler  
**Cc:** Julie Sibraa  
**Subject:** FW: Peter Smithers, Electoral Commission NSW - Notices to Produce (Information and Documents) issued under s110A (1) (a) & (b) of the Election Funding, Expenditure and Disclosures Act 1981 EC0000628 & EC0000629  
**Attachments:** 08122016092406-0001.pdf; ATT00001.htm



Kaila Murnain  
**GENERAL SECRETARY**  
Australian Labor Party (NSW Branch)

[REDACTED]  
Level 9, 377-383 Sussex St, Sydney NSW 2000



[www.nswlabor.org.au](http://www.nswlabor.org.au)

---

**From:** Julie Sibraa  
**Sent:** Thursday, 8 December 2016 11:28 AM  
**To:** Maggie Wang <Maggie@[REDACTED]>  
**Cc:** Kaila Murnain <Kaila@[REDACTED]>  
**Subject:** FW: Peter Smithers, Electoral Commission NSW - Notices to Produce (Information and Documents) issued under s110A (1) (a) & (b) of the Election Funding, Expenditure and Disclosures Act 1981 EC0000628 & EC0000629

---

**From:** Ellyse Harding  
**Sent:** Thursday, 8 December 2016 10:34 AM  
**To:** Julie Sibraa <[julie@\[REDACTED\]](mailto:julie@[REDACTED])>  
**Subject:** Fwd: Peter Smithers, Electoral Commission NSW - Notices to Produce (Information and Documents) issued under s110A (1) (a) & (b) of the Election Funding, Expenditure and Disclosures Act 1981 EC0000628 & EC0000629

See attached

Kind Regards,

Ellyse Harding  
Executive Officer  
NSW Labor

Begin forwarded message:

**From:** "Executive Assistant" <[ExecutiveAssistant@\[REDACTED\]](mailto:ExecutiveAssistant@[REDACTED])>  
**To:** "DMS" <[DMS@\[REDACTED\]](mailto:DMS@[REDACTED])>  
**Cc:** "Ellyse Harding" <[Ellyse.Harding@\[REDACTED\]](mailto:Ellyse.Harding@[REDACTED])>  
**Subject:** Peter Smithers, Electoral Commission NSW - Notices to Produce (Information and Documents) issued under s110A (1) (a) & (b) of the Election Funding, Expenditure and Disclosures Act 1981 EC0000628 & EC0000629



Rebecca Leary  
Executive Assistant to Pat Garcia & Rose Jackson  
(Part Time: Alternate Wednesday's, Thursday & Friday)  
Australian Labor Party (NSW Branch)

P: [REDACTED] | W: [www.nswlabor.org.au](http://www.nswlabor.org.au)  
A: Level 9, 377 Sussex Street, Sydney NSW 2000

-----Original Message-----

From: ApeosPort-V C7775 T2 [<mailto:xerox@xerox.com>] [REDACTED]  
Sent: Thursday, 8 December 2016 10:24 AM  
To: Rebecca Leary <[Rebecca@xerox.com](mailto:Rebecca@xerox.com)> [REDACTED]  
Subject: Scan Data from FX-D6B2EA

Number of Images: 9  
Attachment File Type: PDF

Device Name: ApeosPort-V C7775 T2  
Device Location:



**From:** [Julie Sibraa](#)  
**To:** [Ian Robertson](#); [Sarah Butler](#)  
**Cc:** [Kaila Murnain](#); [Pat Garcia](#)  
**Subject:** Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981  
**Date:** Friday, 16 December 2016 5:22:22 PM  
**Attachments:** [image001.png](#)  
[161216 ALP Reply Chinese friends of Labor.docx](#)  
[161216 CLP Reply Chinese friends of Labor.docx](#)  
[ALP Donation Declarations and Invoices.pdf](#)  
[CLP Donation declarations and invoices.pdf](#)

---

Hi Ian and Sarah

With respect to the Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 sent to us in relation to the Chinese Friends of Labor Dinner, I have put together a brief, draft response and attached documents that we have.

Can you please have a look at them and let me know your thoughts. The letter states the Commission is investigating whether a number of donations made by individuals were made for and behalf of other person/s.

The response is due on Tuesday 20 December at 10am.

Regards

Julie



**Julie Sibraa**

Governance Director

Australian Labor Party (NSW Branch)

**M:** [REDACTED] | **P:** [REDACTED] | **W:** [www.nswlabor.org.au](http://www.nswlabor.org.au)

**T:** [@NSWLabor](#) | **F:** [NSWLabor](#) | **A:** Level 9, 377 Sussex Street, Sydney NSW 2000



---

**From:** Julie Sibraa <julie@[REDACTED]>  
**Sent:** Monday, 19 December 2016 3:12 PM  
**To:** Sarah Butler  
**Subject:** Re: Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]  
**Attachments:** 161219\_Notice to Produce\_CLP.pdf

Sorry Sarah. Here they are.

**Julie Sibraa**  
Governance Director  
Australian Labor Party (NSW Branch)

**M:** [REDACTED] | **P:** [REDACTED] | **W:** [www.nswlabor.org.au](http://www.nswlabor.org.au)  
**T:** @NSWLabor | **F:** NSW Labor | **A:** Level 9, 377 Sussex Street, Sydney NSW 2000

---

**From:** Sarah Butler <Sarah.Butler@[REDACTED]>  
**Sent:** 19 December 2016 15:06  
**To:** Julie Sibraa  
**Subject:** RE: Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]

Hi Julie,

FYI, the notice to produce to the CLP still hasn't come through.

Kind regards  
Sarah

Sarah Butler | Senior Associate



Level 65, MLC Centre, 19 Martin Place, Sydney NSW 2000 Australia

D [REDACTED] F [REDACTED]

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**From:** Julie Sibraa [mailto:julie@[REDACTED]]  
**Sent:** Friday, 16 December 2016 5:17 PM  
**To:** Ian Robertson <Ian.Robertson@[REDACTED]> Sarah Butler <Sarah.Butler@[REDACTED]>  
**Cc:** Kaila Murnain <Kaila@[REDACTED]> Pat Garcia <Pat@[REDACTED]>  
**Subject:** Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981

Hi Ian and Sarah



With respect to the Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 sent to us in relation to the Chinese Friends of Labor Dinner, I have put together a brief, draft response and attached documents that we have.

Can you please have a look at them and let me know your thoughts. The letter states the Commission is investigating whether a number of donations made by individuals were made for and behalf of other person/s.

The response is due on Tuesday 20 December at 10am.

Regards

Julie



**Julie Sibraa**  
Governance Director  
Australian Labor Party (NSW Branch)

M: [REDACTED] | P: [REDACTED] | W: [www.nswlabor.org.au](http://www.nswlabor.org.au)  
T: @NSWLabor | F: NSWLabor | A: Level 9, 377 Sussex Street, Sydney NSW 2000

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**From:** Sarah.Butler@[REDACTED]  
**Sent:** Monday, 19 December 2016 3:27 PM  
**To:** julie@[REDACTED]  
**Cc:** Ian.Robertson@[REDACTED]  
**Subject:** Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]  
**Attachments:** 161216\_ALP\_Reply\_Chinese friends of Labor.docx; 161216\_CLP\_Reply\_Chinese friends of Labor.docx; ALP Donation Declarations and Invoices.pdf; CLP Donation declarations and invoices.pdf

Hi Julie,

We have considered the attached documents and we think that they are fine to be sent to the Commission.

Kind regards  
Sarah

Sarah Butler | Senior Associate



Level 65, MLC Centre, 19 Martin Place, Sydney NSW 2000 Australia

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F [REDACTED]

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**From:** Julie Sibraa [mailto:julie@[REDACTED]]  
**Sent:** Friday, 16 December 2016 5:17 PM  
**To:** Ian Robertson <Ian.Robertson@[REDACTED]> Sarah Butler <Sarah.Butler@[REDACTED]>  
**Cc:** Kaila Murnain <Kaila@[REDACTED]> Pat Garcia <Pat@[REDACTED]>  
**Subject:** Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981

Hi Ian and Sarah

With respect to the Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 sent to us in relation to the Chinese Friends of Labor Dinner, I have put together a brief, draft response and attached documents that we have.

Can you please have a look at them and let me know your thoughts. The letter states the Commission is investigating whether a number of donations made by individuals were made for and behalf of other person/s.

The response is due on Tuesday 20 December at 10am.

Regards

Julie





**Julie Sibraa**  
Governance Director  
Australian Labor Party (NSW Branch)

**M:** [REDACTED] | **P:** [REDACTED] | **W:** [www.nswlabor.org.au](http://www.nswlabor.org.au)  
**T:** @NSWLabor | **F:** NSW Labor | **A:** Level 9, 377 Sussex Street, Sydney NSW 2000

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**From:** Julie Sibraa <julie@[REDACTED]>  
**Sent:** Monday, 19 December 2016 4:30 PM  
**To:** Sarah Butler  
**Cc:** Ian Robertson  
**Subject:** Re: Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]

thanks Sarah. So you didn't make changes to the cover letter?

Regards

**Julie Sibraa**  
Governance Director  
Australian Labor Party (NSW Branch)

**M:** [REDACTED] | **P:** [REDACTED] | **W:** [www.nswlabor.org.au](http://www.nswlabor.org.au)  
**T:** @NSWLabor | **F:** NSW Labor | **A:** Level 9, 377 Sussex Street, Sydney NSW 2000

---

**From:** Sarah Butler <Sarah.Butler@[REDACTED]>  
**Sent:** 19 December 2016 15:27  
**To:** Julie Sibraa  
**Cc:** Ian Robertson  
**Subject:** Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]

Hi Julie,

We have considered the attached documents and we think that they are fine to be sent to the Commission.

Kind regards  
Sarah

Sarah Butler | Senior Associate



Level 65, MLC Centre, 19 Martin Place, Sydney NSW 2000 Australia  
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**From:** Julie Sibraa [mailto:julie@[REDACTED]]  
**Sent:** Friday, 16 December 2016 5:17 PM  
**To:** Ian Robertson <Ian.Robertson@[REDACTED]> Sarah Butler <Sarah.Butler@[REDACTED]>  
**Cc:** Kaila Murnain <Kaila@[REDACTED]> Pat Garcia <Pat@[REDACTED]>  
**Subject:** Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981



Hi Ian and Sarah

With respect to the Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 sent to us in relation to the Chinese Friends of Labor Dinner, I have put together a brief, draft response and attached documents that we have.

Can you please have a look at them and let me know your thoughts. The letter states the Commission is investigating whether a number of donations made by individuals were made for and behalf of other person/s.

The response is due on Tuesday 20 December at 10am.

Regards

Julie



**Julie Sibraa**  
Governance Director  
Australian Labor Party (NSW Branch)

**M:** [REDACTED] | **P:** [REDACTED] | **W:** [www.nswlabor.org.au](http://www.nswlabor.org.au)  
**T:** @NSWLabor | **F:** NSWLabor | **A:** Level 9, 377 Sussex Street, Sydney NSW 2000

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**From:** Sarah.Butler@[REDACTED]  
**Sent:** Monday, 19 December 2016 4:32 PM  
**To:** julie@[REDACTED]  
**Cc:** Ian.Robertson@[REDACTED]  
**Subject:** RE: Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]

Hi Julie,

No, the cover letters were fine.

Kind regards  
Sarah

Sarah Butler | Senior Associate



Level 65, MLC Centre, 19 Martin Place, Sydney NSW 2000 Australia

D [REDACTED]

F [REDACTED]

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**From:** Julie Sibraa [mailto:julie@[REDACTED]]  
**Sent:** Monday, 19 December 2016 4:30 PM  
**To:** Sarah Butler <Sarah.Butler@[REDACTED]>  
**Cc:** Ian Robertson <Ian.Robertson@[REDACTED]>  
**Subject:** Re: Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]

thanks Sarah. So you didn't make changes to the cover letter?

Regards

**Julie Sibraa**  
Governance Director  
Australian Labor Party (NSW Branch)

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T: @NSWLabor | F: NSWLabor | A: Level 9, 377 Sussex Street, Sydney NSW 2000

---

**From:** Sarah Butler <[Sarah.Butler@\[REDACTED\]](mailto:Sarah.Butler@[REDACTED])>  
**Sent:** 19 December 2016 15:27  
**To:** Julie Sibraa  
**Cc:** Ian Robertson  
**Subject:** Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]



Hi Julie,

We have considered the attached documents and we think that they are fine to be sent to the Commission.

Kind regards  
Sarah

Sarah Butler | Senior Associate



Level 65, MLC Centre, 19 Martin Place, Sydney NSW 2000 Australia

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---

**From:** Julie Sibraa [[mailto:julie@\[REDACTED\]](mailto:julie@[REDACTED])]  
**Sent:** Friday, 16 December 2016 5:17 PM  
**To:** Ian Robertson <[ian.Robertson@\[REDACTED\]](mailto:ian.Robertson@[REDACTED])> Sarah Butler <[Sarah.Butler@\[REDACTED\]](mailto:Sarah.Butler@[REDACTED])>  
**Cc:** Kaila Murnain <[Kaila@\[REDACTED\]](mailto:Kaila@[REDACTED])> Pat Garcia <[Pat@\[REDACTED\]](mailto:Pat@[REDACTED])>  
**Subject:** Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981

Hi Ian and Sarah

With respect to the Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 sent to us in relation to the Chinese Friends of Labor Dinner, I have put together a brief, draft response and attached documents that we have.

Can you please have a look at them and let me know your thoughts. The letter states the Commission is investigating whether a number of donations made by individuals were made for and behalf of other person/s.

The response is due on Tuesday 20 December at 10am.

Regards

Julie



**Julie Sibraa**  
Governance Director  
Australian Labor Party (NSW Branch)

**M:** [REDACTED] | **P:** [REDACTED] | **W:** [www.nswlabor.org.au](http://www.nswlabor.org.au)  
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---

**From:** Ian Robertson  
**Sent:** Monday, 19 December 2016 5:07 PM  
**To:** Sarah Butler; Julie Sibraa  
**Subject:** RE: Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]

Sometimes we manage to resist the temptation to improve on everybody else's drafting!

Ian.

Ian Robertson | Partner



Level 65, MLC Centre, 19 Martin Place, Sydney NSW 2000 Australia

D [REDACTED] F [REDACTED] M [REDACTED]  
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**From:** Sarah Butler  
**Sent:** Monday, 19 December 2016 4:32 PM  
**To:** Julie Sibraa <julie@[REDACTED]>  
**Cc:** Ian Robertson <Ian.Robertson@[REDACTED]>  
**Subject:** RE: Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]

Hi Julie,

No, the cover letters were fine.

Kind regards  
Sarah

Sarah Butler | Senior Associate



Level 65, MLC Centre, 19 Martin Place, Sydney NSW 2000 Australia

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**From:** Julie Sibraa [[mailto:julie@\[REDACTED\]](mailto:julie@[REDACTED])]  
**Sent:** Monday, 19 December 2016 4:30 PM  
**To:** Sarah Butler <[Sarah.Butler@\[REDACTED\]](mailto:Sarah.Butler@[REDACTED])>  
**Cc:** Ian Robertson <[Ian.Robertson@\[REDACTED\]](mailto:Ian.Robertson@[REDACTED])>  
**Subject:** Re: Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]



thanks Sarah. So you didn't make changes to the cover letter?

Regards

**Julie Sibraa**

Governance Director

Australian Labor Party (NSW Branch)

M: [REDACTED] | P: 02 [REDACTED] | W: [www.nswlabor.org.au](http://www.nswlabor.org.au)  
T: @NSWLabor | F: NSW Labor | A: Level 9, 377 Sussex Street, Sydney NSW 2000

---

**From:** Sarah Butler <[Sarah.Butler@\[REDACTED\]](mailto:Sarah.Butler@[REDACTED])>  
**Sent:** 19 December 2016 15:27  
**To:** Julie Sibraa  
**Cc:** Ian Robertson  
**Subject:** Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]

Hi Julie,

We have considered the attached documents and we think that they are fine to be sent to the Commission.

Kind regards  
Sarah

Sarah Butler | Senior Associate



Level 65, MLC Centre, 19 Martin Place, Sydney NSW 2000 Australia

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**From:** Julie Sibraa [[mailto:julie@\[REDACTED\]](mailto:julie@[REDACTED])]  
**Sent:** Friday, 16 December 2016 5:17 PM  
**To:** Ian Robertson <[ian.Robertson@\[REDACTED\]](mailto:ian.Robertson@[REDACTED])> Sarah Butler <[Sarah.Butler@\[REDACTED\]](mailto:Sarah.Butler@[REDACTED])>  
**Cc:** Kaila Murnain <[Kaila@\[REDACTED\]](mailto:Kaila@[REDACTED])> Pat Garcia <[Pat@\[REDACTED\]](mailto:Pat@[REDACTED])>  
**Subject:** Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981

Hi Ian and Sarah

With respect to the Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 sent to us in relation to the Chinese Friends of Labor Dinner, I have put together a brief, draft response and attached documents that we have.

Can you please have a look at them and let me know your thoughts. The letter states the Commission is investigating whether a number of donations made by individuals were made for and behalf of other person/s.

The response is due on Tuesday 20 December at 10am.

Regards



Julie



**Julie Sibraa**

Governance Director

Australian Labor Party (NSW Branch)

**M:** [REDACTED] | **P:** [REDACTED] | **W:** [www.nswlabor.org.au](http://www.nswlabor.org.au)

**T:** @NSWLabor | **F:** NSWLabor | **A:** Level 9, 377 Sussex Street, Sydney NSW 2000

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**From:** Julie Sibraa <julie@[REDACTED]>  
**Sent:** Monday, 19 December 2016 5:25 PM  
**To:** Ian Robertson; Sarah Butler  
**Subject:** Re: Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]

I know exactly what you mean!

**Julie Sibraa**  
Governance Director  
Australian Labor Party (NSW Branch)

**M:** [REDACTED] | **P:** [REDACTED] | **W:** [www.nswlabor.org.au](http://www.nswlabor.org.au)  
**T:** @NSWLabor | **F:** NSW Labor | **A:** Level 9, 377 Sussex Street, Sydney NSW 2000

---

**From:** Ian Robertson <Ian.Robertson@[REDACTED]>  
**Sent:** 19 December 2016 17:07  
**To:** Sarah Butler; Julie Sibraa  
**Subject:** RE: Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]

Sometimes we manage to resist the temptation to improve on everybody else's drafting!

Ian.

Ian Robertson | Partner



Level 65, MLC Centre, 19 Martin Place, Sydney NSW 2000 Australia

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**From:** Sarah Butler  
**Sent:** Monday, 19 December 2016 4:32 PM  
**To:** Julie Sibraa <julie@[REDACTED]>  
**Cc:** Ian Robertson <Ian.Robertson@[REDACTED]>  
**Subject:** RE: Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]

Hi Julie,

No, the cover letters were fine.

Kind regards  
Sarah



Sarah Butler | Senior Associate



Level 65, MLC Centre, 19 Martin Place, Sydney NSW 2000 Australia

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**From:** Julie Sibraa [[mailto:julie\[REDACTED\]](mailto:julie[REDACTED])]  
**Sent:** Monday, 19 December 2016 4:30 PM  
**To:** Sarah Butler <[Sarah.Butler@\[REDACTED\]](mailto:Sarah.Butler@[REDACTED])>  
**Cc:** Ian Robertson <[Ian.Robertson@\[REDACTED\]](mailto:Ian.Robertson@[REDACTED])>  
**Subject:** Re: Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]

thanks Sarah. So you didn't make changes to the cover letter?

Regards

**Julie Sibraa**

Governance Director

Australian Labor Party (NSW Branch)

M: 0 [REDACTED] | P: [REDACTED] | W: [www.nswlabor.org.au](http://www.nswlabor.org.au)

T: @NSWLabor | F: NSWLabor | A: Level 9, 377 Sussex Street, Sydney NSW 2000

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**From:** Sarah Butler <[Sarah.Butler@\[REDACTED\]](mailto:Sarah.Butler@[REDACTED])>  
**Sent:** 19 December 2016 15:27  
**To:** Julie Sibraa  
**Cc:** Ian Robertson  
**Subject:** Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 [HR-SYD.FID276823]

Hi Julie,

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Kind regards

Sarah

Sarah Butler | Senior Associate



Level 65, MLC Centre, 19 Martin Place, Sydney NSW 2000 Australia

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**From:** Julie Sibraa [mailto:julie@nswlabor.org.au]  
**Sent:** Friday, 16 December 2016 5:17 PM  
**To:** Ian Robertson <Ian.Robertson@nswlabor.org.au> Sarah Butler <Sarah.Butler@nswlabor.org.au>  
**Cc:** Kaila Murnain <Kaila@nswlabor.org.au> Pat Garcia <Pat@nswlabor.org.au>  
**Subject:** Notices to Produce (information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981

Hi Ian and Sarah

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Can you please have a look at them and let me know your thoughts. The letter states the Commission is investigating whether a number of donations made by individuals were made for and behalf of other person/s.

The response is due on Tuesday 20 December at 10am.

Regards

Julie



**Julie Sibraa**  
Governance Director  
Australian Labor Party (NSW Branch)

**M:** [REDACTED] | **P:** [REDACTED] | **W:** [www.nswlabor.org.au](http://www.nswlabor.org.au)  
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**From:** Kaila Murnain <Kaila@[REDACTED]>  
**Sent:** Tuesday, 20 December 2016 9:40 AM  
**To:** Julie Sibraa  
**Cc:** Ian Robertson; Ashleigh Smith  
**Subject:** Letters  
**Attachments:** 20122016083853-0001.pdf; 20122016083837-0001.pdf

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**From:** Julie Sibraa <julie@[REDACTED]>  
**Sent:** Tuesday, 20 December 2016 10:08 AM  
**To:** Kaila Murnain; Sarah Butler; Ian Robertson  
**Subject:** Fw: Notices to Produce (Information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 - ALP  
**Attachments:** 161220\_NSWEC\_ALP.pdf; 161220\_NSWEC\_ALP Donation Declarations and Invoices.pdf

**Julie Sibraa**  
Governance Director  
Australian Labor Party (NSW Branch)

**M:** [REDACTED] | **P:** [REDACTED] | **W:** [www.nswlabor.org.au](http://www.nswlabor.org.au)  
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**From:** Julie Sibraa  
**Sent:** 20 December 2016 10:03  
**To:** peter.smithers@[REDACTED]  
**Subject:** Notices to Produce (Information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 - ALP

Dear Mr Smithers

Please find attached.

Regards

**Julie Sibraa**  
Governance Director  
Australian Labor Party (NSW Branch)

**M:** [REDACTED] | **P:** [REDACTED] | **W:** [www.nswlabor.org.au](http://www.nswlabor.org.au)  
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**Scott Robertson**

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**From:** Julie Sibraa <julie@[REDACTED]>  
**Sent:** Tuesday, 20 December 2016 10:08 AM  
**To:** Kaila Murnain; Sarah Butler; Ian Robertson  
**Subject:** Fw: Notices to Produce (Information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 - CLP  
**Attachments:** 161220\_NSWEC\_CLP.pdf; 161220\_NSWEC\_CLP Donation declarations and invoices.pdf

**Julie Sibraa**

Governance Director  
Australian Labor Party (NSW Branch)

**M:** [REDACTED] | **P:** [REDACTED] | **W:** [www.nswlabor.org.au](http://www.nswlabor.org.au)  
**T:** @NSWLabor | **F:** NSWLabor | **A:** Level 9, 377 Sussex Street, Sydney NSW 2000

---

**From:** Julie Sibraa  
**Sent:** 20 December 2016 10:06  
**To:** peter.smithers@[REDACTED]  
**Subject:** Notices to Produce (Information and Documents) issued under s110A(1)(a)&(b) of the Election Funding, Expenditure and Disclosures Act 1981 - CLP

Dear Mr Smithers

Please find attached.

Regards

**Julie Sibraa**

Governance Director  
Australian Labor Party (NSW Branch)

**M:** [REDACTED] | **P:** [REDACTED] | **W:** [www.nswlabor.org.au](http://www.nswlabor.org.au)  
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