

SUPREME COURT OF QUEENSLAND

REGISTRY:

BRISBANE

NUMBER:

2246/20

Applicant:

The Australian Institute for Progress Ltd  
(ACN 101 843 396)

AND

Respondent:

The Electoral Commission of Queensland

**ORIGINATING APPLICATION**

To the respondent: TAKE NOTICE that the applicant is applying to the Court for the following orders:

1. Declarations pursuant to s 10 of the *Civil Proceedings Act (Qld) (2011)* that:
  - a) upon the proper construction of the expression "electoral expenditure" in its definition (b) in s 197 of the *Electoral Act (Qld) (1992) (EA)*, expenditure by a third party (within the meaning of that expression in s 197 of the *EA (Third Party)*) on the activities of that Third Party, including in relation to political communications or concerning an election for the Legislative Assembly, is not within its meaning;
  - b) upon the proper construction of s 274 of the *EA*, and in particular sub-s 274(1)(b), a gift to or for the benefit of a Third Party for that Third Party to pursue its activities, including in relation to political communications or concerning an election for the Legislative Assembly, is not within the meaning of the expression "political donation" in s 274 of the *EA*;
  - c) upon the proper construction of Part 11, Division 8, Subdivision 4 of the *EA*, a gift made to or for the benefit of a Third Party by a prohibited donor (within the meaning of that expression in s 273 of the *EA*) for that Third Party to pursue its activities, including in relation to political communication or concerning an election for the Legislative Assembly, does not engage the operation of ss 275 or 276 of the *EA*.
2. The respondent pay the applicant's costs of the application.

This application will be heard by the Court at Brisbane



ORIGINATING APPLICATION

Filed on Behalf of the Applicants(s)  
Form 5, Version 1  
Uniform Civil Procedure Rules 1999  
Rule 26

Name: Australian Institute for Progress Ltd

Address: C/O Graham Young

9 Lucy St Greenslopes

Phone No: 0411104801

Fax No:

Email: graham.young@aip.asn.au

12  
on: 28 March 2020 at 10 am.

Filed in the Brisbane Registry on

28 FEB 2020



*RG* Registrar: (*registrar to sign and seal*)

If you wish to oppose this application or to argue that any different order should be made, you must appear before the Court in person or by your lawyer and you shall be heard. If you do not appear at the hearing the orders sought may be made without further notice to you. In addition you may before the day for hearing file a Notice of Address for Service in this Registry. The Notice should be in Form 8 to the Uniform Civil Procedure Rules. You must serve a copy of it at the applicant's address for service shown in this application as soon as possible.

On the hearing of the application the applicant intends to rely on the following affidavits:

1. Affidavit of Graham Young sworn 28 February 2020.

If you intend on the hearing to rely on any affidavits they must be filed and served at the applicant's address for service prior to the hearing date.

If you object that these proceedings have not been commenced in the correct district of the Court, you must apply to the Court for dismissal of the proceedings.<sup>i</sup>

THE APPLICANT ESTIMATES THE HEARING SHOULD BE ALLOCATED 2 hours

**PARTICULARS OF THE APPLICANT:**

Name: Graham Edward Young

Applicant's residential or business address: 9 Lucy Street, GREENSLOPES Q 4120

Address for service: 9 Lucy St Greenslopes QLD 4120

Telephone: 0411104801

E-mail address: graham.young@aip.asn.au

Signed:

Description: Applicant

Dated: 28.02.2020

This application is to be served on: The Electoral Commissioner  
Of: Electoral Commission Queensland  
Level 21 Eagle Street  
Brisbane QLD 4000

<sup>i</sup>. This sentence may be omitted from a proceeding started in any central registry of the Supreme Court.