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LEGISLATIVE COUNCIL

**Election Funding and Disclosures Amendment Bill 2010**

**Second print**

**Proposed amendments**

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No. 1      Page 2. Insert after line 5:

**3    Amendment of donation and expenditure caps by Auditor-General**

- (1)    The Auditor-General may, before 1 January 2011, amend this Act (and the *Election Funding and Disclosures Act 1981*) to make any changes the Auditor General considers appropriate to the caps prescribed by this Act on political donations and electoral communication expenditure.
- (2)    The amendments are to be made by order of the Auditor-General published on the NSW legislation website.
- (3)    This section commences on the date of assent to this Act, despite section 2.

No. 2      Page 16, Schedule 1 [23]. Insert after line 15:

**(6)    Aggregation of expenditure of parties and affiliated organisations**

Electoral communication expenditure incurred by a party that is less than the amount specified in section 96F for the party is to be treated as expenditure that exceeds the applicable cap if that expenditure and any other electoral communication expenditure by an affiliated organisation of that party exceed the applicable cap so specified for the party.

- (7)    In subsection (6), an *affiliated organisation* of a party means a body or other organisation, whether incorporated or unincorporated, that is authorised under the rules of that party to appoint delegates to the governing body of that party or to participate in pre-selection of candidates for that party (or both).

No. 3      Pages 19 and 20, Schedule 1 [26] (proposed section 96D), line 27 on page 19 to line 3 on page 20. Omit all words on those lines. Insert instead:

**96D    Prohibition on political donations other than by individuals on the electoral roll**

It is unlawful for a political donation to a party, elected member, group, candidate or third-party campaigner to be accepted unless

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the donor is an individual who is enrolled on the roll of electors for State elections, the roll of electors for federal elections or the roll of electors for local government elections.

No. 4      Page 20, Schedule 1 [26]. Insert after line 3:

**96DA    Prohibition on political donations to parties by affiliated organisations without approval of members**

- (1) It is unlawful for an affiliated organisation to make a political donation to a party unless the donation has been approved by at least 50% of the members of the organisation at a secret ballot that is conducted in accordance with procedures approved by the Electoral Commissioner of New South Wales.
- (2) In this section, an *affiliated organisation* means a body or other organisation, whether incorporated or unincorporated, that is authorised under the rules of a party to appoint delegates to the governing body of that party or to participate in pre-selection of candidates for that party (or both).