

New South Wales

Electoral Funding Amendment (Major Political Donors) Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Electoral Funding Act 2018* for the following purposes—

- (a) to require an applicant for government funding or an appointment to certain government positions to disclose if the applicant is or has been a major political donor in the previous 5 financial years,
- (b) to make clear that being or having been a major political donor raises a conflict of interest in all cases for applications of those kinds.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Electoral Funding Act 2018 No 20

Schedule 1 amends the *Electoral Funding Act 2018* to require a person to disclose if the person is or was, in the previous 5 financial years, a major political donor as a conflict of interest when applying for the following—

- (a) government funding,
- (b) an appointment to—
 - (i) the governing body of a government body, or

- (ii) another board, panel or other body for a government body.

A decision-maker will also be required to enquire about whether the applicant is or has been, in the previous 5 financial years, a major political donor before determining an application for—

- (a) government funding, or
- (b) an appointment to—
 - (i) the governing body of a government body, or
 - (ii) another board, panel or other body for a government body.



New South Wales

Electoral Funding Amendment (Major Political Donors) Bill 2025

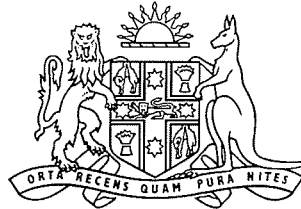
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This PUBLIC BILL, originated in the LEGISLATIVE COUNCIL and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council

Clerk of the Parliaments



New South Wales

Electoral Funding Amendment (Major Political Donors) Bill 2025

No , 2025

A Bill for

An Act to amend the *Electoral Funding Act 2018* to require that an applicant for government funding or an appointment to certain government positions must disclose if the applicant is a major political donor; to make clear that being a major political donor raises a conflict of interest in all cases for applications of that kind; and for related matters.

The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with/without amendment.

Legislative Assembly

Clerk of the Legislative Assembly

Tabling copy

The Legislature of New South Wales enacts—	1
1 Name of Act	2
This Act is the <i>Electoral Funding Amendment (Major Political Donors) Act 2025</i> .	3
2 Commencement	4
This Act commences on the date of assent to this Act.	5

Schedule 1 Amendment of Electoral Funding Act 2018 No 20

Section 159

Insert after section 158—

159 Obligations of major political donors—conflict of interest disclosures

- (1) An entity or other person that is a major political donor must disclose this fact when the donor makes an application for government funding.
- (2) A person who is a major political donor must disclose this fact when the donor makes an application for an appointment to—
 - (a) the governing body, however described, of a government body, or
 - (b) another board, panel or other body for a government body.
- (3) A decision-maker must enquire about whether an applicant is a major political donor before determining an application for the following—
 - (a) government funding,
 - (b) an appointment to—
 - (i) the governing body, however described, of a government body, or
 - (ii) another board, panel or other body for a government body.
- (4) If an applicant has not disclosed to a decision-maker about whether or not the applicant is a major political donor, the decision-maker must not, as the case requires—
 - (a) grant the government funding to the applicant, or
 - (b) appoint the applicant to the governing body or other board, panel or other body.
- (5) To avoid doubt, the fact that an entity or other person is a major political donor raises a conflict of interest issue for all applications referred to in this section.
- (6) In this section—

government body means any of the following—

 - (a) a Public Service agency,
 - (b) a State owned corporation,
 - (c) a public authority or instrumentality of the State,
 - (d) a local council,
 - (e) a controlled entity of one or more public bodies.

government funding includes an arrangement for the grant of government funds for the provision of financial assistance by the NSW Government, or on behalf of the NSW Government as follows—

 - (a) money is paid to a grantee other than the NSW Government,
 - (b) the arrangement is intended to help address one or more of the NSW Government's policy outcomes,
 - (c) the arrangement is intended to assist the grantee to achieve the grantee's objectives,
 - (d) the arrangement does not result in the return of goods or services by the grantee of an equivalent value to the NSW Government.

major political donor includes a person who is or has been, at any time during the previous 5 financial years, a major political donor. 1
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