

LEGISLATIVE COUNCIL

Election Funding, Expenditure and Disclosures Amendment Bill 2014

First print

Proposed amendments

- No. 1 **Public campaign funding: party candidates**
Page 4, Schedule 1 [4], lines 13 and 14 (proposed section 103C (2) (b)). Omit “and of those endorsed candidates of the party”.
- No. 2 **Public campaign funding: party with no LA members**
Page 4, Schedule 1 [4], line 17 (proposed section 103C (3)). Insert “and no endorsed candidate of the party was elected at the Assembly general election in 2011” after “was elected”.
- No. 3 **Public campaign funding: party candidates**
Page 4, Schedule 1 [4], lines 29 and 30 (proposed section 103D (1)). Omit “other than endorsed candidates of a party excluded by section 103E”. Insert instead “other than endorsed candidates of a party to whom section 103E applies”.
- No. 4 **Public campaign funding: party candidates**
Page 4, Schedule 1 [4], lines 40 to 46 (proposed section 103E). Omit all words on those lines. Insert instead:

103E Amount of public campaign funding for endorsed Assembly candidates of eligible parties

- (1) This section applies in relation to candidates who are (under section 59) eligible for payment from the Election Campaigns Fund in respect of the 2015 State general election, being candidates who are duly nominated for the Assembly general election and endorsed by:
 - (a) a party that is eligible for payment from the Fund under section 103C, or
 - (b) a party that is registered on polling day for the election and that has an endorsed candidate of the party elected at the election in either the Legislative Council or the Legislative Assembly.
- (2) The amount to be distributed from the Election Campaigns Fund to any such candidate in respect of the 2015 State general election is:
 - (a) \$4 for each first each first preference vote received by any such candidate in that election, or
 - (b) \$30,000, or
 - (c) the total amount of the actual campaign expenditure of the candidate, whichever is the lesser.

(3) This section applies despite section 60.

No. 5 **Third-party campaigner caps to remain unchanged**

Page 5, Schedule 1 [4], lines 33–47 (proposed section 103H). Omit all words on those lines.

No. 6 **Meaning of “electoral expenditure”**

Page 6, Schedule 2. Insert after line 13:

[4] Section 87 (4)

Omit “or influencing the voting at an election”.

No. 7 **Party subscriptions to be paid into State campaign account of a party**

Page 6, Schedule 2. Insert after line 13:

[4] Section 96 Requirements for parties

Omit section 96 (6) (a).

No. 8 **Increased payments from Administration Fund for eligible parties**

Page 7, Schedule 2 [10], line 5. Omit all words on that lines. Insert instead:

Omit section 97E (3) (a)–(d). Insert instead:

- (a) \$250,800 if there is only one elected member endorsed by the party, or
- (b) \$450,000 if there are only 2 elected members endorsed by the party, or
- (c) \$600,000 if there are only 3 elected members endorsed by the party, or
- (d) \$600,000 if there are more than 3 elected members endorsed by the party plus \$83,000 for each such member in excess of 3 up to a maximum of 22 members in excess of 3.

No. 9 **Increased payments from Administration Fund for eligible parties**

Page 8, Schedule 2 [20], line 8. Omit “(d)”. Insert instead “(a)–(d)”.

No. 10 **Retrospective limitation period for offences**

Page 8, Schedule 2 [20], line 26. Omit “applies to offences committed after the commencement of that Act”. Insert instead “applies to offences committed before or after the commencement of that Act”.

No. 11 **Retrospective increases in penalties for offences**

Page 8, Schedule 2 [20]. Insert after line 26:

Application of amendments relating to increases in maximum penalties for offences

The amendments made to this Act by Schedule 2 to the *Election Funding, Expenditure and Disclosures Amendment Act 2014* that increase the maximum penalty for an offence against this Act extend to offences committed before the commencement of that Act, unless proceedings for any such offence were instituted before that commencement.