

LEGISLATIVE COUNCIL

Election Funding, Expenditure and Disclosures Amendment Bill 2011

First Print

Proposed amendments

No. 1 Page 3, Schedule 1. Insert after line 3:

[1] Section 93 Electoral expenditure required to be disclosed

Insert after section 93 (2):

- (3) Without limiting subsection (1), the following is required to be disclosed under this Part for electoral communication expenditure incurred substantially for the purposes of an election in a particular electorate (as referred to in section 95F (12)):
 - (a) each electorate in respect of which such expenditure is incurred,
 - (b) the amount of any such expenditure in a capped expenditure period during the relevant disclosure period.

No. 2 Page 3, Schedule 1. Insert after line 3:

[1] Section 95F Applicable caps on electoral communication expenditure on State election campaigns

Omit section 95F (10). Insert instead:

(10) Third-party campaigners

For a state general election, the applicable cap for a third-party campaigner is \$250,000.

No. 3 Page 3, Schedule 1 [1]. Insert after line 19:

- (8) In subsection (6), *electoral communication expenditure* by an affiliated organisation of a party means expenditure for or in connection with promoting or opposing, directly or indirectly, a party or the election of a candidate or candidates, but does not include expenditure for the purpose of influencing, directly or indirectly, the voting at an election.

No. 4 Page 3, Schedule 1 [2]. Insert after line 35:

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- (4) This section does not apply to or in respect of a political donation or proposed political donation to a third-party campaigner if:
- (a) the third-party campaigner is a peak body that is a not-for-profit organisation that is governed by a body elected by the members, and
 - (b) the third-party campaigner incurs electoral communication expenditure for the purpose of influencing, directly or indirectly, the voting at an election, but does not incur expenditure for or in connection with promoting or opposing, directly or indirectly, a party or the election of a candidate or candidates.

No. 5 Page 4, Schedule 1 [2]. Insert after line 3:

- (5) Despite subsection (4), an annual or other subscription paid to a party by an entity for affiliation with the party is not subject to this section if:
- (a) all the members of the entity are individuals and the entity is governed by a body elected by the members, and
 - (b) the subscription is paid for the purpose of contributing to the party's administrative costs relating to the affiliation of the entity with the party, and
 - (c) the maximum amount so payable is the lesser of \$5,000 or an amount equal to \$0.50 multiplied by the total number of members of the entity as at 1 October in the year concerned, and
 - (d) the payment of the subscription was approved by a majority vote of members of the entity that occurred not more than 4 years before the payment of the subscription concerned.

The amount of \$5,000 specified in subsection (5) (c) is to be indexed annually in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.