

LEGISLATIVE COUNCIL

Election Funding, Expenditure and Disclosures Amendment Bill 2011

First Print

Proposed amendments

No. 1 Pages 3 and 4, Schedule 1 [2], line 22 on page 3 to line 7 on page 4. Omit all words on those lines. Insert instead:

96D Prohibition on political donations other than by individuals on the electoral roll or by not-for-profit entities

- (1) It is unlawful for a political donation to a party, elected member, group, candidate or third-party campaigner to be made or accepted unless the donor is:
 - (a) 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, or
 - (b) a not-for-profit entity that has a relevant business number.

Any such individual or entity is referred to in this section as a *permitted donor*.

- (2) It is unlawful for a permitted donor to make a political donation to a party, elected member, group, candidate or third-party campaigner on behalf of a person who is not a permitted donor.
- (3) It is unlawful for a person to make a gift to a permitted donor for the purpose of the permitted donor making a political donation to a party, elected member, group, candidate or third-party campaigner.
- (4) Annual or other subscriptions paid to a party by a person or entity (including an industrial organisation) for affiliation with the party that are, by the operation of section 85 (3), taken to be gifts (and political donations to the parties) are not subject to this section.
- (5) Dispositions of property between branches of parties or between associated parties that are, by the operation of section 85 (3A), taken to be gifts (and political donations to the parties) are not subject to this section.
- (6) In this section:

not-for-profit entity means an entity that is an industrial organisation, a peak industry body, a religious organisation, a community organisation or other entity whose business or

activity is not carried on for the ultimate purpose of making a profit.

relevant business number means an Australian Business Number (ABN) or any other number allocated or recognised by ASIC for the purposes of identifying the entity.

- No. 2 Pages 5 and 6, Schedule 2 [1]–[9], line 4 on page 5 to line 2 on page 6. Omit all words on those lines.
- No. 3 Page 6, Schedule 2 [10], line 9. Insert “or not-for-profit entity” after “individual”.