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MEDIA RELEASE

Electoral cap reform for council election campaigns

Electoral expenditure laws should afford candidates a reasonable ability to communicate with voters during local government campaigns. The current electoral funding laws, however, have been subject to criticism for producing unfair expenditure limits in different-sized councils. The Electoral Matters Committee has made recommendations to address these inconsistencies in its tabled Report on the Impact of Expenditure Caps for Local Government Election Campaigns.

"We heard from local councils that the new laws unfairly restricted electoral spending, particularly in the larger LGAs" said the Committee Chairman, the Hon Dr Peter Phelps MLC. "Our recommendations aim to make the electoral spending laws simpler, clearer, consistent, and fairer for all candidates."

The Committee has recommended that a 'band' system be used, consisting of eight different caps based on the number of voters in each LGA or ward. It was recommended that these caps apply to all candidates in the same way.

"This proposed model aligns electoral spending caps more closely to the size of each council electorate, rather than a 'blanket' cap. We intend this to apply equally to candidates or groups, whether they are running in a party or as independents."

The Committee heard concerns from stakeholders that the electoral spending laws could encourage people to falsely run for mayor solely to access the higher mayoral spending caps. To address this, the Committee has recommended that directly-elected mayoral candidates receive an additional 25 per cent spending cap. This amount is intended to be high enough to allow for the additional costs, but would not provide an incentive to 'game the system' with an insincere run for the position of mayor.

The Committee also recommended that caps for third-party campaigners be set at one-third of the relevant cap that applies to a candidate running in the ward or undivided LGA in which the expenditure occurs.

It should be noted that the report was not accepted unanimously, and the Labor members have indicated that they believe that the matter should be dealt with by a more extensive review in 2019.

Further information about the report can be found on the Committee's website at: <https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2506>

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